

House Engrossed

pharmacy board; renewals; ownership change

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
Second Regular Session  
2026

# HOUSE BILL 2733

AN ACT

AMENDING SECTIONS 32-1901.01 AND 32-1925, ARIZONA REVISED STATUTES;  
AMENDING TITLE 32, CHAPTER 18, ARTICLE 2, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 32-1930.01; AMENDING SECTION 32-1965, ARIZONA REVISED  
STATUTES; RELATING TO THE ARIZONA STATE BOARD OF PHARMACY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1901.01, Arizona Revised Statutes, is amended  
3 to read:

4 32-1901.01. Definitions of unethical conduct and  
5 unprofessional conduct; permittees; licensees

6 A. In this chapter, unless the context otherwise requires, for the  
7 purposes of disciplining a permittee, "unethical conduct" means the  
8 following, whether occurring in this state or elsewhere:

9 1. Committing a felony, whether or not involving moral turpitude,  
10 or a misdemeanor involving moral turpitude or any drug-related offense.  
11 In either case, conviction by a court of competent jurisdiction or a plea  
12 of no contest is conclusive evidence of the commission.

13 2. Committing an act that is substantially related to the  
14 qualifications, functions or duties of a permittee and that demonstrates  
15 an actual or potential unfitness to hold a permit in light of the public's  
16 safety.

17 3. Working under the influence of alcohol or other drugs.

18 4. Using alcohol or other drugs to such a degree as to render the  
19 permittee unfit to perform the permittee's employment duties.

20 5. Violating a federal or state law or administrative rule relating  
21 to the manufacture, sale or distribution of drugs, devices, poisons,  
22 hazardous substances or precursor chemicals.

23 6. Violating a federal or state law or administrative rule relating  
24 to marijuana, prescription-only drugs, narcotics, dangerous drugs,  
25 controlled substances or precursor chemicals.

26 7. Violating state or federal reporting or recordkeeping  
27 requirements on transactions relating to precursor chemicals.

28 8. Intending to sell, transfer or distribute, or to offer for sale,  
29 transfer or distribution, or selling, transferring, distributing or  
30 dispensing or offering for sale, transfer or distribution an imitation  
31 controlled substance, imitation over-the-counter drug or imitation  
32 prescription-only drug as defined in section 13-3451.

33 9. Having the permittee's permit to manufacture, sell, distribute  
34 or dispense drugs, devices, poisons, hazardous substances or precursor  
35 chemicals denied or disciplined in another jurisdiction.

36 10. Committing an offense in another jurisdiction that if committed  
37 in this state would be grounds for discipline.

38 11. Obtaining or attempting to obtain a permit or a permit renewal  
39 by fraud, by misrepresentation or by knowingly taking advantage of the  
40 mistake of another person or an agency.

41 12. Wilfully making a false report or record that is required by  
42 this chapter, that is required by federal or state laws pertaining to  
43 drugs, devices, poisons, hazardous substances or precursor chemicals or  
44 that is required to pay for drugs, devices, poisons or hazardous

1 substances or precursor chemicals or for services pertaining to such drugs  
2 or substances.

3 13. Knowingly filing with the board any application, renewal or  
4 other document that contains false or misleading information.

5 14. Providing false or misleading information or omitting material  
6 information in any communication to the board or the board's employees or  
7 agents.

8 15. Violating or attempting to violate, directly or indirectly, or  
9 assisting in or abetting the violation of, or conspiring to violate this  
10 chapter.

11 16. Violating a formal order, terms of probation, a consent  
12 agreement or a stipulation issued or entered into by the board or its  
13 executive director pursuant to this chapter.

14 17. Failing to comply with a board subpoena or failing to comply in  
15 a timely manner with a board subpoena without providing any explanation to  
16 the board for not complying with the subpoena.

17 18. Failing to provide the board or its employees or agents or an  
18 authorized federal or state official conducting a site investigation,  
19 inspection or audit with access to any place for which a permit has been  
20 issued or for which an application for a permit has been submitted.

21 19. Failing to notify the board of a change of ownership,  
22 management or pharmacist in charge.

23 20. Failing to promptly produce on the request of the official  
24 conducting a site investigation, inspection or audit any book, record or  
25 document.

26 21. Overruling or attempting to overrule a pharmacist in matters of  
27 pharmacy ethics or interpreting laws pertaining to the practice of  
28 pharmacy or the distribution of drugs or devices.

29 22. Distributing premiums or rebates of any kind in connection with  
30 the sale of prescription medication, other than to the prescription  
31 medication recipient.

32 23. Failing to maintain effective controls against the diversion of  
33 controlled substances or precursor chemicals to unauthorized persons or  
34 entities.

35 24. Fraudulently claiming to have performed a service.

36 25. Fraudulently charging a fee for a service.

37 26. Advertising drugs or devices, or services pertaining to drugs  
38 or devices, in a manner that is untrue or misleading in any particular,  
39 and that is known, or that by the exercise of reasonable care should be  
40 known, to be untrue or misleading.

41 B. In this chapter, unless the context otherwise requires, for the  
42 purposes of disciplining a pharmacist or pharmacy intern, "unprofessional  
43 conduct" means the following, whether occurring in this state or  
44 elsewhere:

1           1. Using alcohol or other drugs to such a degree as to render the  
2 licensee unfit to practice the profession of pharmacy.

3           2. Violating any federal or state law, rule or regulation relating  
4 to the manufacture or distribution of drugs and devices or the practice of  
5 pharmacy.

6           3. Dispensing a different drug or brand of drug in place of the  
7 drug or brand of drug ordered or prescribed without the express permission  
8 in each case of the orderer, or in the case of a prescription order, the  
9 medical practitioner. The conduct prohibited by this paragraph does not  
10 apply to substitutions authorized pursuant to section 32-1963.01.

11           4. Obtaining or attempting to obtain a license to practice pharmacy  
12 or a license renewal by fraud, by misrepresentation or by knowingly taking  
13 advantage of the mistake of another person or an agency.

14           5. Having the licensee's license to practice pharmacy denied or  
15 disciplined in another jurisdiction.

16           6. Claiming professional superiority in compounding or dispensing  
17 prescription orders.

18           7. Failing to comply with the mandatory continuing professional  
19 pharmacy education requirements of sections 32-1936 and 32-1937 and rules  
20 adopted by the board.

21           8. Committing a felony, whether or not involving moral turpitude,  
22 or a misdemeanor involving moral turpitude or any drug-related offense.  
23 In either case, conviction by a court of competent jurisdiction or a plea  
24 of no contest is conclusive evidence of the commission.

25           9. Working under the influence of alcohol or other drugs.

26           10. Violating a federal or state law or administrative rule  
27 relating to marijuana, prescription-only drugs, narcotics, dangerous  
28 drugs, controlled substances or precursor chemicals when determined by the  
29 board or by conviction in a federal or state court.

30           11. Knowingly dispensing a drug without a valid prescription order  
31 as required pursuant to section 32-1968, subsection A.

32           12. Knowingly dispensing a drug on a prescription order that was  
33 issued in the course of the conduct of business of dispensing drugs  
34 pursuant to diagnosis by mail or the internet, unless the order was any of  
35 the following:

36           (a) Made by a physician who provides temporary patient supervision  
37 on behalf of the patient's regular treating licensed health care  
38 professional or provides a consultation requested by the patient's regular  
39 treating licensed health care professional.

40           (b) Made in an emergency medical situation as defined in  
41 section 41-1831.

42           (c) Written to prepare a patient for a medical examination.

43           (d) Written or the prescription medications were issued for use by  
44 a county or tribal public health department for immunization programs or  
45 emergency treatment or in response to an infectious disease investigation,

1 a public health emergency, an infectious disease outbreak or an act of  
2 bioterrorism. For the purposes of this subdivision, "bioterrorism" has  
3 the same meaning prescribed in section 36-781.

4 (e) Written or antimicrobials were dispensed by the prescribing or  
5 dispensing physician to a contact as defined in section 36-661 who is  
6 believed to have had significant exposure risk as defined in section  
7 36-661 with another person who has been diagnosed with a communicable  
8 disease as defined in section 36-661.

9 (f) Written or the prescription medications were issued for  
10 administering immunizations or vaccines listed in the United States  
11 centers for disease control and prevention's recommended immunization  
12 schedule to a household member of a patient.

13 (g) For epinephrine delivery systems that are written or dispensed  
14 for a school district or charter school and that are to be stocked for  
15 emergency use pursuant to section 15-157 or for an authorized entity to be  
16 stocked pursuant to section 36-2226.01.

17 (h) For glucagon that is written or dispensed for a school district  
18 or charter school and that is to be stocked for emergency use pursuant to  
19 section 15-344.01.

20 (i) Written by a licensee through a telehealth program that is  
21 covered by the policies and procedures adopted by the administrator of a  
22 hospital or outpatient treatment center.

23 (j) Written pursuant to a physical or mental health status  
24 examination that was conducted through telehealth as defined in section  
25 36-3601 and consistent with federal law.

26 (k) For naloxone hydrochloride or any other opioid antagonist  
27 approved by the United States food and drug administration and written or  
28 dispensed for use pursuant to section 36-2228 or 36-2266.

29 13. Failing to report in writing to the board any evidence that a  
30 pharmacist or pharmacy intern is or may be professionally incompetent, is  
31 or may be guilty of unprofessional conduct or is or may be mentally or  
32 physically unable to safely engage in the practice of pharmacy.

33 14. Failing to report in writing to the board any evidence that a  
34 pharmacy technician or pharmacy technician trainee is or may be  
35 professionally incompetent, is or may be guilty of unprofessional conduct  
36 or is or may be mentally or physically unable to safely engage in the  
37 permissible activities of a pharmacy technician or pharmacy technician  
38 trainee.

39 15. Failing to report in writing to the board any evidence that a  
40 permittee or a permittee's employee is or may be guilty of unethical  
41 conduct or is or may be violating this chapter or a rule adopted under  
42 this chapter.

43 16. Committing an offense in another jurisdiction that if committed  
44 in this state would be grounds for discipline.

- 1           17. Knowingly filing with the board any application, renewal or  
2 other document that contains false or misleading information.
- 3           18. Providing false or misleading information or omitting material  
4 information in any communication to the board or the board's employees or  
5 agents.
- 6           19. Violating or attempting to violate, directly or indirectly, or  
7 assisting in or abetting in the violation of, or conspiring to violate  
8 this chapter.
- 9           20. Violating a formal order, terms of probation, a consent  
10 agreement or a stipulation issued or entered into by the board or its  
11 executive director pursuant to this chapter.
- 12           21. Failing to comply with a board subpoena or failing to comply in  
13 a timely manner with a board subpoena without providing any explanation to  
14 the board for not complying with the subpoena.
- 15           22. Refusing without just cause to allow authorized agents of the  
16 board to examine documents that are required to be kept pursuant to this  
17 chapter or title 36.
- 18           23. Participating in an arrangement or agreement to allow a  
19 prescription order or a prescription medication to be left at, picked up  
20 from, accepted by or delivered to a place that is not licensed as a  
21 pharmacy. This paragraph does not prohibit a pharmacist or a pharmacy  
22 from using an employee or a common carrier to pick up prescription orders  
23 at or deliver, **UNLESS PROHIBITED BY FEDERAL LAW**, prescription medications  
24 to ~~the office or home of~~ a medical ~~practitioner~~ **PRACTITIONER'S HOME OR**  
25 **OFFICE**, the **PATIENT'S** residence, ~~of a patient or a patient's~~ **A hospital,**  
26 **LONG-TERM CARE FACILITY OR WORKPLACE OR ANOTHER DESIGNATED PHYSICAL**  
27 **ADDRESS PROVIDED BY THE PATIENT WHERE THE PATIENT OR THE PATIENT'S**  
28 **DESIGNATED AGENT IS AVAILABLE TO RECEIVE A DELIVERY.**
- 29           24. Paying rebates or entering into an agreement for paying rebates  
30 to a medical practitioner or any other person in the health care field.
- 31           25. Providing or causing to be provided to a medical practitioner  
32 prescription order blanks or forms bearing the pharmacist's or pharmacy's  
33 name, address or other means of identification.
- 34           26. Fraudulently claiming to have performed a professional service.
- 35           27. Fraudulently charging a fee for a professional service.
- 36           28. Failing to report a change of the licensee's home address,  
37 contact information, employer or employer's address as required by section  
38 32-1926.
- 39           29. Failing to report a change in the licensee's residency status  
40 as required by section 32-1926.01.
- 41           30. Failing to maintain effective controls against the diversion of  
42 controlled substances or precursor chemicals to unauthorized persons or  
43 entities.
- 44           C. In this chapter, unless the context otherwise requires, for the  
45 purposes of disciplining a pharmacy technician or pharmacy technician

- 1 trainee, "unprofessional conduct" means the following, whether occurring  
2 in this state or elsewhere:
- 3 1. Using alcohol or other drugs to such a degree as to render the  
4 licensee or registrant unfit to perform the licensee's or registrant's  
5 employment duties.
  - 6 2. Violating a federal or state law or administrative rule relating  
7 to the manufacture or distribution of drugs or devices.
  - 8 3. Obtaining or attempting to obtain a pharmacy technician license  
9 or license renewal or pharmacy technician trainee registration by fraud,  
10 by misrepresentation or by knowingly taking advantage of the mistake of  
11 another person or an agency.
  - 12 4. Having the licensee's license to practice as a pharmacy  
13 technician denied or disciplined in another jurisdiction.
  - 14 5. Failing to comply with the mandatory continuing professional  
15 education requirements of section 32-1925, subsection H and rules adopted  
16 by the board.
  - 17 6. Committing a felony, whether or not involving moral turpitude,  
18 or a misdemeanor involving moral turpitude or any drug-related  
19 offense. In either case, conviction by a court of competent jurisdiction  
20 or a plea of no contest is conclusive evidence of the commission.
  - 21 7. Working under the influence of alcohol or other drugs.
  - 22 8. Violating a federal or state law or administrative rule relating  
23 to marijuana, prescription-only drugs, narcotics, dangerous drugs,  
24 controlled substances or precursor chemicals when determined by the board  
25 or by conviction in a federal or state court.
  - 26 9. Failing to report in writing to the board any evidence that a  
27 pharmacist or pharmacy intern is or may be professionally incompetent, is  
28 or may be guilty of unprofessional conduct or is or may be mentally or  
29 physically unable to safely engage in the practice of pharmacy.
  - 30 10. Failing to report in writing to the board any evidence that a  
31 pharmacy technician or pharmacy technician trainee is or may be  
32 professionally incompetent, is or may be guilty of unprofessional conduct  
33 or is or may be mentally or physically unable to safely engage in the  
34 permissible activities of a pharmacy technician or pharmacy technician  
35 trainee.
  - 36 11. Failing to report in writing to the board any evidence that a  
37 permittee or a permittee's employee is or may be guilty of unethical  
38 conduct or is or may be violating this chapter or a rule adopted under  
39 this chapter.
  - 40 12. Committing an offense in another jurisdiction that if committed  
41 in this state would be grounds for discipline.
  - 42 13. Knowingly filing with the board any application, renewal or  
43 other document that contains false or misleading information.

1           14. Providing false or misleading information or omitting material  
2 information in any communication to the board or the board's employees or  
3 agents.

4           15. Violating or attempting to violate, directly or indirectly, or  
5 assisting in or abetting in the violation of, or conspiring to violate  
6 this chapter.

7           16. Violating a formal order, terms of probation, a consent  
8 agreement or a stipulation issued or entered into by the board or its  
9 executive director pursuant to this chapter.

10          17. Failing to comply with a board subpoena or failing to comply in  
11 a timely manner with a board subpoena without providing any explanation to  
12 the board for not complying with the subpoena.

13          18. Failing to report a change of the licensee's or registrant's  
14 home address, contact information, employer or employer's address as  
15 required by section 32-1926.

16          19. Failing to report a change in the licensee's or registrant's  
17 residency status as required by section 32-1926.01.

18          Sec. 2. Section 32-1925, Arizona Revised Statutes, is amended to  
19 read:

20           32-1925. Renewal of license of pharmacists, interns and  
21           pharmacy technicians; fees; expiration dates;  
22           penalty for failure to renew; continuing education

23           A. Except for interns and pharmacy technician trainees, the board  
24 shall assign all persons who are licensed under this chapter to one of two  
25 license renewal groups. Except as provided in section 32-4301, a holder  
26 of a license certificate designated in the licensing database as even by  
27 way of verbiage or numerical value shall renew it biennially on or before  
28 November 1 of the even-numbered year, two years after the last renewal  
29 date. Except as provided in section 32-4301, a holder of a license  
30 certificate designated in the licensing database as odd by way of verbiage  
31 or numerical value shall renew it biennially on or before November 1 of  
32 the odd-numbered year, two years after the last renewal date. Failure to  
33 renew and pay all required fees on or before November 1 of the year in  
34 which the renewal is due suspends the license. The board shall vacate a  
35 suspension when the licensee pays all past due fees and reinstatement  
36 penalties. Reinstatement penalties shall not exceed \$350. The board may  
37 waive collection of a fee or reinstatement penalty due after suspension  
38 under conditions established by a majority of the board.

39           B. A person shall not apply for license renewal more than sixty  
40 days before the expiration date of the license.

41           C. A person who is licensed as a pharmacist or a pharmacy  
42 technician and who has not renewed the license for five consecutive years  
43 shall furnish to the board satisfactory proof of fitness to be licensed as  
44 a pharmacist or a pharmacy technician. A person whose license has lapsed

1 for two or more renewal cycles shall pay the fees for the two most recent  
2 renewal cycles and the penalties before being reinstated.

3 D. Biennial renewal fees for licensure shall be not more than:

4 1. For a pharmacist, \$250.

5 2. For a pharmacy technician, \$100.

6 3. For a duplicate renewal license, \$25.

7 E. Fees that are designated to be not more than a maximum amount  
8 shall be set by the board for the following two fiscal years beginning  
9 November 1. The board shall establish fees THAT ARE approximately  
10 proportionate to the maximum fee allowed to cover the board's anticipated  
11 expenditures for the following two fiscal years. Variation in a fee is  
12 not effective except at the expiration date of a license.

13 F. The board shall not renew a license for a pharmacist unless the  
14 pharmacist has complied with the mandatory continuing professional  
15 pharmacy education requirements of sections 32-1936 and 32-1937. A  
16 PHARMACIST MAY COMPLETE THE MANDATORY CONTINUING PROFESSIONAL PHARMACY  
17 EDUCATION REQUIREMENTS AFTER SUBMITTING A RENEWAL APPLICATION AND PAYING  
18 THE APPLICABLE RENEWAL FEE, BUT THE CONTINUING EDUCATION REQUIREMENTS MUST  
19 BE COMPLETED BEFORE THE PHARMACIST'S LICENSE EXPIRES FOR THAT RENEWAL  
20 CYCLE. THE BOARD SHALL UPDATE AND MAINTAIN THE RENEWAL APPLICATION AND  
21 RENEWAL PROCEDURES TO BE CONSISTENT WITH THIS SUBSECTION.

22 G. The board shall prescribe intern licensure renewal fees that do  
23 not exceed \$75. The license of an intern who does not receive specific  
24 board approval to renew the intern license or who receives board approval  
25 to renew but who does not renew and pay all required fees before the  
26 license expiration date is suspended after the license expiration date.  
27 The board shall vacate a suspension if the licensee pays all past due fees  
28 and penalties. Penalties shall not exceed \$350. The board may waive  
29 collection of a fee or penalty due after suspension under conditions  
30 established by the board.

31 H. The board shall not renew a license for a pharmacy technician  
32 unless that person has a current board-approved license and has complied  
33 with board-approved mandatory continuing professional education  
34 requirements. A PHARMACY TECHNICIAN MAY COMPLETE THE MANDATORY CONTINUING  
35 PROFESSIONAL PHARMACY EDUCATION REQUIREMENTS AFTER SUBMITTING A RENEWAL  
36 APPLICATION AND PAYING THE APPLICABLE RENEWAL FEE, BUT THE CONTINUING  
37 EDUCATION REQUIREMENTS MUST BE COMPLETED BEFORE THE PHARMACY TECHNICIAN'S  
38 LICENSE EXPIRES FOR THAT RENEWAL CYCLE. THE BOARD SHALL UPDATE AND  
39 MAINTAIN THE RENEWAL APPLICATION AND RENEWAL PROCEDURES TO BE CONSISTENT  
40 WITH THIS SUBSECTION. If a pharmacy technician prepares, compounds or  
41 dispenses prescription medications at a remote dispensing site pharmacy,  
42 the pharmacy technician shall complete, in addition to any other  
43 board-approved mandatory continuing professional education requirements, a  
44 two-hour continuing education program on remote dispensing site pharmacy  
45 practices provided by an approved provider.



- 1           2. ~~The adulteration~~ ADULTERING or misbranding ~~of~~ any drug, device,  
2           poison, ~~or~~ hazardous substance.
- 3           3. ~~The alteration, mutilation, destruction, obliteration,~~ ALTERING,  
4           MUTILATING, DESTROYING, OBLITERATING or ~~removal of~~ REMOVING the whole or  
5           any part of the labeling of, or ~~the~~ doing ~~of~~ any other act with respect  
6           to, a drug, device, poison, ~~or~~ hazardous substance, if such AN act is  
7           done while ~~such~~ THE article is held for sale and results in ~~such~~ THE  
8           article being adulterated or misbranded.
- 9           4. ~~The manufacture, sale~~ MANUFACTURING, SELLING, holding or  
10          offering for sale ~~of~~ a counterfeit drug or forging, counterfeiting,  
11          simulating, ~~or~~ falsely representing or without proper authority using any  
12          mark, stamp, tag, label, ~~or~~ other identification device authorized or  
13          required by rules adopted under ~~the provisions of~~ this chapter, ~~or~~ ~~of~~ the  
14          federal act.
- 15          5. ~~The~~ Using, on the labeling of any drug or device, ~~or~~ in any  
16          advertisement, ~~relating to~~ ~~such~~ A drug or device, ~~of~~ any representation  
17          or suggestion that ~~such~~ THE drug or device complies with ~~the provisions of~~  
18          this chapter.
- 19          6. In the case of a prescription-only drug or a controlled  
20          substance that requires a prescription order by state or federal law, the  
21          failure of the manufacturer, packer, ~~or~~ distributor to transmit, to any  
22          medical practitioner who makes a written request for information about  
23          such A drug, true and correct copies of all printed matter included in any  
24          package in which that drug is distributed or other printed matter approved  
25          under the federal act.
- 26          7. Engaging in the practice of pharmacy without first having a  
27          current license in good standing issued by the board.
- 28          8. Making or offering to make a forged, counterfeit, altered or  
29          photocopied prescription or drug order for the purpose of obtaining  
30          prescription-only DRUGS or controlled ~~substance drugs~~ SUBSTANCES.
- 31          9. WHOLESALING OR DISTRIBUTING A PRESCRIPTION DRUG OR PRESCRIPTION  
32          DEVICE, A CONTROLLED SUBSTANCE, A NONPRESCRIPTION DRUG, A REGULATED  
33          CHEMICAL AS DEFINED IN SECTION 13-3401, MEDICAL GAS OR DURABLE MEDICAL  
34          EQUIPMENT WITHOUT A VALID BOARD-ISSUED PERMIT.