

Policy Name: REINSTATEMENT PETITION INTERVALS AFTER DISCIPLINE

Adoption Date: 2/1/16

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Review Date: 6/1/20

Purpose: To clarify the frequency of reasonable intervals for petitioning for reinstatement

Policy:

A. Petition for Reinstatement After Discipline: Reasonable Intervals

Per I.C. 54-1728(6), applicants for reinstatement may petition the Board at “reasonable intervals”:

(6) Any person whose license to practice pharmacy in this state has been suspended, revoked or restricted pursuant to this chapter, or any drug outlet whose certificate of registration has been suspended, revoked or restricted pursuant to this chapter, whether voluntarily or by action of the board, shall have the right, at reasonable intervals, to petition the board for reinstatement of such license. Such petition shall be made in writing and in the form prescribed by the board. Upon investigation and hearing, the board may in its discretion grant or deny such petition, or it may modify its original finding to reflect any circumstances which have changed sufficiently to warrant such modifications.

A person whose license has been disciplined by an order of the Board under I.C. 54-1726 may only apply for reinstatement once per twelve (12) month period, unless otherwise ordered by the Board. The twelve-month period begins on the date the Board issues its disciplinary order.

In any order disciplining a license or denying a request for reinstatement, the Board may set forth specific conditions as a prerequisite for any future reinstatement applications. In such cases, if an applicant submits evidence to the Board’s staff that documents compliance with the conditions set forth in the Board’s order, the applicant may be allowed to apply for reinstatement and appear before the Board at an appropriate meeting, even if the applicant has previously appeared before the Board for reinstatement in the same twelve-month period.

B. Petition for Reinstatement: Application Requirements

An applicant for reinstatement must submit a complete application form, pay the fees prescribed by the Board, and submit a complete set of fingerprints for a criminal background check along with required paperwork and background check fee.

After evaluation, the Board may deny a reinstatement, grant a reinstatement, or issue a license permitting the applicant to practice pharmacy under specified terms and conditions. In the event that the Board denies a reinstatement, the application for reinstatement is no longer active. In such a case, an applicant petitioning for reinstatement at reasonable intervals, as defined above, must submit a new application for reinstatement along with all accompanying Board requirements.

Applications for reinstatement are only active for a period of six (6) months. If an applicant petitions for reinstatement outside of a reasonable interval, as defined above, and the applicant is consequently unable to appear before the Board within the active life of such application, the applicant forfeits the fees associated with the application and will be required to complete all reinstatement requirements before appearing before the board again.