

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 680
Department or Agency: Alabama State Board of Pharmacy
Rule No.: Chapter 680-X-A
Rule Title: Appendices
Intended Action: New

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? Yes

To what degree?: See fiscal note

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? Yes

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Jon M Linna
Jon Linna

Date

Wednesday, June 17, 2026

REC'D & FILED

JUN 17, 2026

LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF PHARMACY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Pharmacy

RULE NO. & TITLE: Chapter 680-X-A Appendices

INTENDED ACTION: New

SUBSTANCE OF PROPOSED ACTION:

This rule is proposed to adopt a civil penalty schedule as mandated by Act 2025-372.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

The public hearing will be August 19, 2026 during the business meeting beginning at 9:00 am CST at the Board of Pharmacy office, located at 111 Village Street, Birmingham, AL 35242. Written comments may be submitted to Anne Marie Nolen via email to anolen@albop.com by EOB August 14, 2026.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, August 14, 2026

CONTACT PERSON AT AGENCY:

Anne Marie Nolen
anolen@albop.com

Jon M Linna

Jon Linna

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

**ALABAMA STATE BOARD OF PHARMACY
ADMINISTRATIVE CODE**

**CHAPTER 680-X-A
APPENDICES**

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680-X-A-1 Civil Penalties for Chain Pharmacies.

680-X-A-1 Civil Penalties for Chain Pharmacies

Section Number	Section Title	Violation	Fine Amount
680-X-2-.04	Prescription Department Technical Equipment	Failure to have required equipment and clinical references on hand	\$0-\$2,500
680-X-2-.07	Mail Order Prescriptions	Noncompliance with Alabama statute or regulation	\$0-\$2,500
680-X-2-.11	Pharmacy Keys or Other Controlled Access Device or Method	Keys not under control of pharmacist without approvals, or any other violation of this rule	\$0-\$10,000
680-X-2-.12	Supervising Pharmacist	Subverting supervising pharmacist's authority and/or impeding his or her management of pharmacy	\$0-\$10,000
680-X-2-.12	Supervising Pharmacist	Noncompliance with supervising pharmacist minimum hours	\$0-\$2,500
680-X-2-.12	Supervising Pharmacist	Failure to submit action plan	\$0-\$2,000
680-X-2-.12	Supervising Pharmacist	Operating more than 90 days without supervising pharmacist	\$0-\$3,000

680- X-2-.12	Supervising Pharmacist	Failure to notify board of temporary absence of supervising pharmacist	\$0-\$2,000
680- X-2-.13	Prescription Labels	Noncompliance with dispensing label requirements	\$0-\$2,500
680- X-2-.15	Record-keeping Requirements	Failure to maintain required records - legend drugs	\$0-\$10,000
680- X-2-.15	Record-keeping Requirements	Failure to maintain required records - controlled substances	\$0-\$10,000
680- X-2-.19	Parenteral Sterile Therapy	Compounding/dispensing sterile products without having first obtained valid certification	\$0-\$50,000
680- X-2-.22	Code of Professional Conduct	Any violation of this section	\$0-\$5,000
680- X-2-.27	Private Consultation Areas for Pharmacies	Failure to have/maintain compliant private consultation area	\$0-\$5,000
680- X-2-.28	Temporary Absences of Pharmacists During Break and Meal Period	Failure to comply with requirements	\$0-\$3,000
680- X-2-.30	Central Prescription Filling	Performing or receiving central fill services without board approval	\$0-\$10,000
680- X-2-.30	Central Prescription Filling	Failure to notify patients	\$0-\$5,000
680- X-2-.30	Central Prescription Filling	Failure to maintain required records	\$0-\$10,000
680- X-2-.30	Central Prescription Filling	Failure to maintain and follow required policies/procedures	\$0-\$10,000
680- X-2-.30	Central Prescription Filling	Failure to follow labeling requirements	\$0-\$2,500
680- X-2-.31	Regulation of Daily Operating Hours	Operating below minimum hours without waiver	\$0-\$5,000
680- X-2-.31	Regulation of Daily Operating Hours	Failure to post hours of operation	\$0-\$500
680- X-2-.32	Prescriptions by Electronic Means	Dispensing non-compliant prescriptions for legend drugs	\$0-\$3,000
680- X-2-.32	Prescriptions by Electronic Means	Dispensing non-compliant prescriptions for controlled substances	\$0-\$5,000
680- X-2-.39	Pharmacy Off Site Order Entry	Practicing off-site order entry without appropriate notification to the Board	\$0-\$10,000
680- X-2-.39	Pharmacy Off Site Order Entry	Failure to notify patients of off-site order entry	\$0-\$5,000
680- X-2-.39	Pharmacy Off Site Order Entry	Failure to maintain required records	\$0-\$10,000
680- X-2-.41	Pharmacy Services Permit	Failure to designate supervising pharmacist	\$0-\$2,000
680- X-2-.41	Pharmacy Services Permit	Failure to maintain and follow required procedures	\$0-\$3,000
680- X-2-.41	Pharmacy Services Permit	Failure to follow other requirements specified by the Board	\$0-\$3,000

680- X-2-.42	Requirements For The Disposal Of Prescription Drug By Pharmacies Collected From Ultimate User(s) Or Person(s) Entitled To Dispose Of Drugs	Receiving, collecting, and/or disposing of controlled substances without receiving DEA authorization	\$0-\$5,000
680- X-2-.42	Requirements For The Disposal Of Prescription Drug By Pharmacies Collected From Ultimate User(s) Or Person(s) Entitled To Dispose Of Drugs	Failure to notify Board of beginning/ ceasing activity as collector of controlled substances or legend drugs	\$0-\$1,000
680- X-2-.43	Requirements for Compounding	Failure to comply with appropriate provisions of USP	\$0-\$40,000
680- X-2-.44	Collaborative Practice	Employing a physician for the purpose of maintaining, establishing, or entering into a CPA	\$0-\$10,000
680- X-3-.01	Registration Requirements	Handling controlled substances without having first obtained a valid controlled substance registration	\$0-\$5,000
680- X-3-.06	Surrender Of License And Permits At Termination Of Operation, Inventory And Disposition Of Controlled Substances Drugs	Failure to provide final inventory & disposition of controlled substances	\$0-\$5,000
680- X-3-.07	Report of Theft or Loss of Controlled Substances	Failure to make and submit report of theft as required	\$0-\$10,000
680- X-3-.08	Annual Inventory Of Controlled Substances	Failure to take initial and/or annual inventory of controlled substances	\$0-\$10,000
680- X-3-.08	Annual Inventory Of Controlled Substances	Failure to properly record inventory	\$0-\$10,000
680- X-3-.09	Invoices And Acquisitions Of Controlled Substances	Noncompliance with pharmacist review and approval of controlled substances and/or documentation	\$0-\$2,500
34-23-6	Bankruptcy Sales, Auction Sales, Etc., of Drugs and Medicines	Failure to notify and/or provide records as required	\$0-\$5,000
34-23-9	Purity of Drugs Dispensed	Compounding, selling and/or dispensing adulterated substance	\$0-\$25,000

34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Obtaining license, etc, by fraudulent means	\$0-\$10,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violating any law regulating sale or dispensing of prescription drugs	\$0-\$25,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction of a felony	\$0-\$25,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of any provision of §34-23 or any board rule	Refer to corresponding schedule
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Facilitating any unlicensed person to practice pharmacy	\$0-\$5,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Suspension, revocation, or probation of license by another state	\$0-\$5,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Refusal to appear before the board after notice	\$0-\$5,000

34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Making fraudulent or untrue statements to the board	\$0-\$10,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of the code of professional conduct	\$0-\$5,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Exceeding allowable pharmacist absence and/or failure to post notice	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Failure to display license or permit	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Accepting return of unused dispensed prescription	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Noncompliant sale and/or display of poison	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Authorizing alternate pick-up site	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Supplying imprinted prescription blank	\$0-\$2,000

34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Failure to make and/or maintain required records	\$0-\$10,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Inappropriate drug storage location	\$0-\$3,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Selling/dispensing/refilling legend drug without prescription	\$0-\$5,000
34-23-152	Designation and Maintenance of Compounding Area	Engaging in compounding in an area not compliant with this section	\$0-\$5,000
34-23-155	Drug Product Containers and Closures	Handling or storing containers and closures in unsafe and/or unsanitary conditions	\$0-\$2,500
34-23-155	Drug Product Containers and Closures	Failure to use containers and closures appropriate for the compounded product	\$0-\$2,500
34-23-158	Retention of Records	Failure to maintain records	\$0-\$3,000
34-23-159	Preparation of Compounded Drug Products for Over the Counter Sale	Sale/offer for sale of product other than in compliance with this section	\$0-\$2,500
20-2-51	Registration of Persons Manufacturing, Distributing, or Dispensing Controlled Substances - General Requirements	Handling controlled substances without having first obtained a valid controlled substances permit	\$0-\$5,000
20-2-56	Maintenance of Records and Inventories by Registrants Generally	Failure to maintain records appropriately	\$0-\$10,000
20-2-213	Reporting Requirements	Failure to report as required by this section (PDMP)	\$0-\$1,000

Author: Alabama State Board of Pharmacy

Statutory Authority: 34-23-33

History: New Rule: Published _____; effective _____.

680-X-A-2 Civil Penalties for Independent Pharmacies.

680-X-A-2 Civil Penalties for Independent Pharmacies

Section Number	Section Title	Violation	Fine Amount
680-X-2-04	Prescription Department Technical Equipment	Failure to have required equipment and clinical references on hand	\$0-\$2,500
680-X-2-07	Mail Order Prescriptions	Noncompliance with Alabama statute or regulation	\$0-\$2,500
680-X-2-11	Pharmacy Keys or Other Controlled Access Device or Method	Keys not under control of pharmacist without approvals, or any other violation of this rule	\$0-\$10,000
680-X-2-12	Supervising Pharmacist	Subverting supervising pharmacist's authority and/or impeding his or her management of pharmacy	\$0-\$10,000
680-X-2-12	Supervising Pharmacist	Noncompliance with supervising pharmacist minimum hours	\$0-\$2,500
680-X-2-12	Supervising Pharmacist	Failure to submit action plan	\$0-\$2,000
680-X-2-12	Supervising Pharmacist	Operating more than 90 days without supervising pharmacist	\$0-\$3,000
680-X-2-12	Supervising Pharmacist	Failure to notify board of temporary absence of supervising pharmacist	\$0-\$2,000
680-X-2-13	Prescription Labels	Noncompliance with dispensing label requirements	\$0-\$2,500
680-X-2-15	Record-keeping Requirements	Failure to maintain required records - legend drugs	\$0-\$10,000
680-X-2-15	Record-keeping Requirements	Failure to maintain required records - controlled substances	\$0-\$10,000
680-X-2-19	Parenteral Sterile Therapy	Compounding/dispensing sterile products without having first obtained valid certification	\$0-\$50,000
680-X-2-22	Code of Professional Conduct	Any violation of this section	\$0-\$5,000
680-X-2-27	Private Consultation Areas for Pharmacies	Failure to have/maintain compliant private consultation area	\$0-\$5,000
680-X-2-28	Temporary Absences of Pharmacists During Break and Meal Period	Failure to comply with requirements	\$0-\$3,000
680-X-2-30	Central Prescription Filling	Performing or receiving central fill services without board approval	\$0-\$10,000

680-X-2-30	Central Prescription Filling	Failure to notify patients	\$0-\$5,000
680-X-2-30	Central Prescription Filling	Failure to maintain required records	\$0-\$10,000
680-X-2-30	Central Prescription Filling	Failure to maintain and follow required policies/procedures	\$0-\$10,000
680-X-2-30	Central Prescription Filling	Failure to follow labeling requirements	\$0-\$2,500
680-X-2-31	Regulation of Daily Operating Hours	Operating below minimum hours without waiver	\$0-\$5,000
680-X-2-31	Regulation of Daily Operating Hours	Failure to post hours of operation	\$0-\$500
680-X-2-32	Prescriptions by Electronic Means	Dispensing non-compliant prescriptions for legend drugs	\$0-\$3,000
680-X-2-32	Prescriptions by Electronic Means	Dispensing non-compliant prescriptions for controlled substances	\$0-\$5,000
680-X-2-39	Pharmacy Off Site Order Entry	Practicing off-site order entry without appropriate notification to the Board	\$0-\$10,000
680-X-2-39	Pharmacy Off Site Order Entry	Failure to notify patients of off-site order entry	\$0-\$5,000
680-X-2-39	Pharmacy Off Site Order Entry	Failure to maintain required records	\$0-\$10,000
680-X-2-41	Pharmacy Services Permit	Failure to designate supervising pharmacist	\$0-\$2,000
680-X-2-41	Pharmacy Services Permit	Failure to maintain and follow required procedures	\$0-\$3,000
680-X-2-41	Pharmacy Services Permit	Failure to follow other requirements specified by the Board	\$0-\$3,000
680-X-2-42	Requirements For The Disposal Of Prescription Drug By Pharmacies Collected From Ultimate User(s) Or Person(s) Entitled To Dispose Of Drugs	Receiving, collecting, and/or disposing of controlled substances without receiving DEA authorization	\$0-\$5,000
680-X-2-42	Requirements For The Disposal Of Prescription Drug By Pharmacies Collected From Ultimate User(s) Or Person(s) Entitled To Dispose Of Drugs	Failure to notify Board of beginning/ceasing activity as collector of controlled substances or legend drugs	\$0-\$1,000
680-X-2-43	Requirements for Compounding	Failure to comply with appropriate provisions of USP	\$0-\$40,000
680-X-2-44	Collaborative Practice	Employing a physician for the purpose of maintaining, establishing, or entering into a CPA	\$0-\$10,000

680-X-3-01	Registration Requirements	Handling controlled substances without having first obtained a valid controlled substance registration	\$0-\$5,000
680-X-3-06	Surrender Of License And Permits At Termination Of Operation, Inventory And Disposition Of Controlled Substances Drugs.	Failure to provide final inventory & disposition of controlled substances	\$0-\$5,000
680-X-3-07	Report of Theft or Loss of Controlled Substances	Failure to make and submit report of theft as required	\$0-\$10,000
680-X-3-08	Annual Inventory Of Controlled Substances	Failure to take initial and/or annual inventory of controlled substances	\$0-\$10,000
680-X-3-08	Annual Inventory Of Controlled Substances	Failure to properly record inventory	\$0-\$10,000
680-X-3-09	Invoices And Acquisitions Of Controlled Substances	Noncompliance with pharmacist review and approval of controlled substances and/or documentation	\$0-\$2,500
34-23-6	Bankruptcy Sales, Auction Sales, Etc., of Drugs and Medicines	Failure to notify and/or provide records as required	\$0-\$5,000
34-23-9	Purity of Drugs Dispensed	Compounding, selling and/or dispensing adulterated substance	\$0-\$25,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Obtaining license, etc, by fraudulent means	\$0-\$10,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violating any law regulating sale or dispensing of prescription drugs	\$0-\$25,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction of a felony	\$0-\$25,000

34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of any provision of 34-23 or any board rule	Refer to corresponding schedule
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Facilitating any unlicensed person to practice pharmacy	\$0-\$5,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Suspension, revocation, or probation of license by another state	\$0-\$5,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Refusal to appear before the board after notice	\$0-\$5,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Making fraudulent or untrue statements to the board	\$0-\$10,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of the code of professional conduct	\$0-\$5,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Exceeding allowable pharmacist absence and/or failure to post notice	\$0-\$2,000

34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Failure to display license or permit	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Accepting return of unused dispensed prescription	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Noncompliant sale and/or display of poison	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Authorizing alternate pick-up site	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Supplying imprinted prescription blank	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Failure to make and/or maintain required records	\$0-\$10,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Inappropriate drug storage location	\$0-\$3,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Selling/dispensing/refilling legend drug without prescription	\$0-\$5,000
34-23-152	Designation and Maintenance of Compounding Area	Engaging in compounding in an area not compliant with this section	\$0-\$5,000

34-23-155	Drug Product Containers and Closures	Handling or storing containers and closures in unsafe and/or unsanitary conditions	\$0-\$2,500
34-23-155	Drug Product Containers and Closures	Failure to use containers and closures appropriate for the compounded product	\$0-\$2,500
34-23-158	Retention of Records	Failure to maintain records	\$0-\$3,000
34-23-159	Preparation of Compounded Drug Products for Over the Counter Sale	Sale/offer for sale of product other than in compliance with this section	\$0-\$2,500
20-2-51	Registration of Persons Manufacturing, Distributing, or Dispensing Controlled Substances - General Requirements	Handling controlled substances without having first obtained a valid controlled substances permit	\$0-\$5,000
20-2-56	Maintenance of Records and Inventories by Registrants Generally	Failure to maintain records appropriately	\$0-\$10,000
20-2-213	Reporting Requirements	Failure to report as required by this section (PDMP)	\$0-\$1,000

Author: Alabama State Board of Pharmacy

Statutory Authority: 34-23-33

History: New Rule: Published _____; effective _____.

680-X-A-3 Civil Penalties for All Other Pharmacy Types.

680-X-A-3 Civil Penalty Schedule for All Other Pharmacy Types

Section Number	Section Title	Violation	Fine Amount
680-X-2-.04	Prescription Department Technical Equipment	Failure to have required equipment and clinical references on hand	\$0-\$2,500
680-X-2-.07	Mail Order Prescriptions	Noncompliance with AL statute or regulation	\$0-\$2,500
680-X-2-.11	Pharmacy Keys or Other Controlled Access Device or Method	Keys not under control of pharmacist without approvals, or any other violation of this rule	\$0-\$10,000
680-X-2-.12	Supervising Pharmacist	Subverting supervising pharmacist's authority and/or impeding his or her management of pharmacy	\$0-\$10,000

680-X-2-.12	Supervising Pharmacist	Noncompliance with supervising pharmacist minimum hours	\$0-\$2,500
680-X-2-.12	Supervising Pharmacist	Failure to submit action plan	\$0-\$2,000
680-X-2-.12	Supervising Pharmacist	Operating more than 90 days without supervising pharmacist	\$0-\$3,000
680-X-2-.12	Supervising Pharmacist	Failure to notify board of temporary absence of supervising pharmacist	\$0-\$2,000
680-X-2-.13	Prescription Labels	Noncompliance with dispensing label requirements	\$0-\$2,500
680-X-2-.15	Record-keeping Requirements	Failure to maintain required records - legend drugs	\$0-\$10,000
680-X-2-.15	Record-keeping Requirements	Failure to maintain required records - controlled substances	\$0-\$10,000
680-X-2-.18	Institutional Pharmacies	Failure to maintain and follow required policies and procedures	\$0-\$3,000
680-X-2-.18	Institutional Pharmacies	Failure to properly manage drug storage/distribution, including outside/investigational drugs	\$0-\$3,000
680-X-2-.18	Institutional Pharmacies	Noncompliance with requirements for stat cabinets/emergency kits/automated dispensing systems	\$0-\$3,000
680-X-2-.18	Institutional Pharmacies	Emergency dispensing of drug without board approval	\$0-\$3,000
680-X-2-.18	Institutional Pharmacies	Noncompliance with emergency dispensing labeling requirements	\$0-\$3,000
680-X-2-.18	Institutional Pharmacies	Performing or receiving centralized services without notice to Board	\$0-\$3,000
680-X-2-.18	Institutional Pharmacies	Performing or receiving unapproved functions through centralized services	\$0-\$3,000
680-X-2-.19	Parenteral Sterile Therapy	Compounding/dispensing sterile products without having first obtained valid certification	\$0-\$50,000
680-X-2-.20	Nuclear Pharmacy	Operating without having first obtained a valid certification	\$0-\$50,000
680-X-2-.20	Nuclear Pharmacy	Failure to manage nuclear area consistent with requirements of subsections (5) and/or (6)	\$0-\$7,500
680-X-2-.20	Nuclear Pharmacy	Transfer of radioactive materials to unauthorized user	\$0-\$7,500
680-X-2-.22	Code of Professional Conduct	Any violation of this section	\$0-\$5,000
680-X-2-.27	Private Consultation Areas for Pharmacies	Failure to have/maintain compliant private consultation area	\$0-\$5,000
680-X-2-.28	Temporary Absences of Pharmacists During Break and Meal Period	Failure to comply with requirements	\$0-\$3,000

680- X-2-.30	Central Prescription Filling	Performing or receiving central fill services without board approval	\$0-\$10,000
680- X-2-.30	Central Prescription Filling	Failure to notify patients	\$0-\$5,000
680- X-2-.30	Central Prescription Filling	Failure to maintain required records	\$0-\$10,000
680- X-2-.30	Central Prescription Filling	Failure to maintain and follow required policies/procedures	\$0-\$10,000
680- X-2-.30	Central Prescription Filling	Failure to follow labeling requirements	\$0-\$2,500
680- X-2-.31	Regulation of Daily Operating Hours	Operating below minimum hours without waiver	\$0-\$5,000
680- X-2-.31	Regulation of Daily Operating Hours	Failure to post hours of operation	\$0-\$500
680- X-2-.32	Prescriptions by Electronic Means	Dispensing non-compliant prescriptions for legend drugs	\$0-\$3,000
680- X-2-.32	Prescriptions by Electronic Means	Dispensing non-compliant prescriptions for controlled substances	\$0-\$5,000
680- X-2-.39	Pharmacy Off Site Order Entry	Practicing off-site order entry without appropriate notification to the Board	\$0-\$10,000
680- X-2-.39	Pharmacy Off Site Order Entry	Failure to notify patients of off-site order entry	\$0-\$5,000
680- X-2-.39	Pharmacy Off Site Order Entry	Failure to maintain required records	\$0-\$10,000
680- X-2-.41	Pharmacy Services Permit	Failure to designate supervising pharmacist	\$0-\$2,000
680- X-2-.41	Pharmacy Services Permit	Failure to maintain and follow required procedures	\$0-\$3,000
680- X-2-.41	Pharmacy Services Permit	Failure to follow other requirements specified by the Board	\$0-\$3,000
680- X-2-.42	Requirements For The Disposal Of Prescription Drug By Pharmacies Collected From Ultimate User(s) Or Person(s) Entitled To Dispose Of Drugs	Receiving, collecting, and/or disposing of controlled substances without receiving DEA authorization	\$0-\$5,000
680- X-2-.42	Requirements For The Disposal Of Prescription Drug By Pharmacies Collected From Ultimate User(s) Or Person(s) Entitled To Dispose Of Drugs	Failure to notify Board of beginning/ceasing activity as collector of controlled substances or legend drugs	\$0-\$1,000
680- X-2-.43	Requirements for Compounding	Failure to comply with appropriate provisions of USP	\$0-\$40,000

680- X-2-.44	Collaborative Practice	Employing a physician for the purpose of maintaining, establishing, or entering into a CPA	\$0-\$10,000
680- X-3-.01	Registration Requirements	Handling controlled substances without having first obtained a valid controlled substance registration	\$0-\$5,000
680- X-3-.06	Surrender Of License And Permits At Termination Of Operation, Inventory And Disposition Of Controlled Substances Drugs.	Failure to provide final inventory & disposition of controlled substances	\$0-\$5,000
680- X-3-.07	Report of Theft or Loss of Controlled Substances	Failure to make and submit report of theft as required	\$0-\$10,000
680- X-3-.08	Annual Inventory Of Controlled Substances	Failure to take initial and/or annual inventory of controlled substances	\$0-\$10,000
680- X-3-.08	Annual Inventory Of Controlled Substances	Failure to properly record inventory	\$0-\$10,000
680- X-3-.09	Invoices And Acquisitions Of Controlled Substances	Noncompliance with pharmacist review and approval of controlled substances and/or documentation	\$0-\$2,500
34-23-6	Bankruptcy Sales, Auction Sales, Etc., of Drugs and Medicines	Failure to notify and/or provide records as required	\$0-\$5,000
34-23-9	Purity of Drugs Dispensed	Compounding, selling and/or dispensing adulterated substance	\$0-\$25,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Obtaining license, etc, by fraudulent means	\$0-\$10,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violating any law regulating sale or dispensing of prescription drugs	\$0-\$25,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction of a felony	\$0-\$25,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of any provision of 34-23 or any board rule	Refer to corresponding schedule

34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Facilitating any unlicensed person to practice pharmacy	\$0-\$5,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Suspension, revocation, or probation of license by another state	\$0-\$5,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Refusal to appear before the board after notice	\$0-\$5,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Making fraudulent or untrue statements to the board	\$0-\$10,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of the code of professional conduct	\$0-\$5,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Exceeding allowable pharmacist absence and/or failure to post notice	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Failure to display license or permit	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Accepting return of unused dispensed prescription	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Noncompliant sale and/or display of poison	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Authorizing alternate pick-up site	\$0-\$2,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Supplying imprinted prescription blank	\$0-\$2,000

34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Failure to make and/or maintain required records	\$0-\$10,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Inappropriate drug storage location	\$0-\$3,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Selling/dispensing/refilling legend drug without prescription	\$0-\$5,000
34-23-152	Designation and Maintenance of Compounding Area	Engaging in compounding in an area not compliant with this section	\$0-\$5,000
34-23-155	Drug Product Containers and Closures	Handling or storing containers and closures in unsafe and/or unsanitary conditions	\$0-\$2,500
34-23-155	Drug Product Containers and Closures	Failure to use containers and closures appropriate for the compounded product	\$0-\$2,500
34-23-158	Retention of Records	Failure to maintain records	\$0-\$3,000
34-23-159	Preparation of Compounded Drug Products for Over the Counter Sale	Sale/offer for sale of product other than in compliance with this section	\$0-\$2,500
20-2-51	Registration of Persons Manufacturing, Distributing, or Dispensing Controlled Substances - General Requirements	Handling controlled substances without having first obtained a valid controlled substances permit	\$0-\$5,000
20-2-56	Maintenance of Records and Inventories by Registrants Generally	Failure to maintain records appropriately	\$0-\$10,000
20-2-213	Reporting Requirements	Failure to report as required by this section (PDMP)	\$0-\$1,000

Author: Alabama State Board of Pharmacy

Statutory Authority: 34-23-33

History: New Rule: Published _____; effective _____.

680-X-A-4 Civil Penalties for Manufacturers.

680-X-A-4 Civil Penalties for Manufacturers

Section Number	Section Title	Violation	Fine Amount
680-X-2-23	Drug Manufacturers; Wholesale Distributors; Private Label Distributors, Repackagers, Third-Party Logistics Providers, Outsourcing Facilities; Reverse Distributors; Retail Medical Oxygen Suppliers	Conviction of federal, state, or municipal drug law or violation of this rule	\$0-\$25,000
680-X-3-01	Registration Requirements	Handling controlled substances without having first obtained a valid controlled substance registration	\$0-\$10,000
680-X-3-05	Recordkeeping By Manufacturers, Wholesalers, Or Distributors Of Controlled Substances And Submission Of Reports To The State Board Of Pharmacy	Failure to submit records	\$0-\$50,000
680-X-3-06	Surrender Of License And Permits At Termination Of Operation, Inventory And Disposition Of Controlled Substances Drugs	Failure to provide final inventory & disposition of controlled substances	\$0-\$5,000
34-23-6	Bankruptcy Sales, Auction Sales, Etc., of Drugs and Medicines	Failure to notify and/or provide records as required	\$0-\$5,000
34-23-9	Purity of Drugs Dispensed	Compounding, selling and/or dispensing adulterated substance	\$0-\$50,000
34-23-32	Manufacturer, Bottler, Packager, Repackager, Etc., of Drugs	Shipping into state legend drug/device w/out valid permit	As per § 34-23-32 (g)
34-23-32	Manufacturer, Bottler, Packager, Repackager, Etc., of Drugs	Failure to provide a list of all trading partners upon Board request	\$0-\$50,000
34-23-32.1	Adherence to FDA Requirements Under Federal Prescription Drug Marketing Act of 1987	Failure to adhere to requirements of PDMA	\$0-\$50,000
34-23-32.2	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Failure to adhere to requirements of DQSA	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-	Obtaining license, etc, by fraudulent means	\$0-\$50,000

	disciplinary Administrative Penalty		
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violating any law regulating sale or dispensing of prescription drugs	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction of a felony	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of any provision of §34-23 or any board rule	Refer to corresponding schedule
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Facilitating any unlicensed person to practice pharmacy	\$0-\$10,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Suspension, revocation, or probation of license by another state	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Refusal to appear before the board after notice	\$0-\$10,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Making fraudulent or untrue statements to the board	\$0-\$20,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of the code of professional conduct	\$0-\$10,000
20-2-51	Registration of Persons Manufacturing, Distributing, or Dispensing Controlled Substances - General Requirements	Handling controlled substances without having first obtained a valid controlled substances permit	\$0-\$10,000
20-2-56		Failure to maintain records appropriately	\$0-\$25,000

Maintenance of Records and Inventories by Registrants Generally	
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Author: Alabama State Board of Pharmacy

Statutory Authority: 34-23-33

History: New Rule: Published _____; effective _____.

680-X-A-5 Civil Penalties for Distributors.

680-X-A-5 Civil Penalties for Distributors

Section Number	Section Title	Violation	Fine Amount
680-X-2-23	Drug Manufacturers; Wholesale Distributors; Private Label Distributors, Repackagers, Third-Party Logistics Providers, Outsourcing Facilities; Reverse Distributors; Retail Medical Oxygen Suppliers	Conviction of federal, state, or municipal drug law or violation of this rule	\$0-\$25,000
680-X-3-01	Registration Requirements	Handling controlled substances without having first obtained a valid controlled substance registration	\$0-\$10,000
680-X-3-05	Recordkeeping By Manufacturers, Wholesalers, Or Distributors Of Controlled Substances And Submission Of Reports To The State Board Of Pharmacy.	Failure to submit records	\$0-\$50,000
680-X-3-06	Surrender Of License And Permits At Termination Of Operation, Inventory And Disposition Of Controlled Substances Drugs.	Failure to provide final inventory and disposition of controlled substances	\$0-\$5,000
34-23-6	Bankruptcy Sales, Auction Sales, Etc., of Drugs and Medicines	Failure to notify and/or provide records as required	\$0-\$5,000
34-23-9	Purity of Drugs Dispensed	Compounding, selling and/or dispensing adulterated substance	\$0-\$50,000
34-23-32		Shipping into state legend drug/device without valid permit	As per \$ 34-23-32(g)

	Manufacturer, Bottler, Packager, Repackager, Etc., of Drugs		
34-23-32	Manufacturer, Bottler, Packager, Repackager, Etc., of Drugs	Failure to provide a list of all trading partners upon Board request	\$0-\$50,000
34-23-32.1	Adherence to FDA Requirements Under Federal Prescription Drug Marketing Act of 1987	Failure to adhere to requirements of PDMA	\$0-\$50,000
34-23-32.2	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty.	Failure to adhere to requirements of DQSA	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Obtaining license, etc, by fraudulent means	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violating any law regulating sale or dispensing of prescription drugs	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction of a felony	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of any provision of §34-23 or any board rule	Refer to corresponding schedule
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Facilitating any unlicensed person to practice pharmacy	\$0-\$10,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Suspension, revocation, or probation of license by another state	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-	Refusal to appear before the board after notice	\$0-\$10,000

	disciplinary Administrative Penalty		
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non- disciplinary Administrative Penalty	Making fraudulent or untrue statements to the board	\$0-\$20,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non- disciplinary Administrative Penalty	Violation of the code of professional conduct	\$0-\$10,000
20-2-51	Registration of Persons Manufacturing, Distributing, or Dispensing Controlled Substances - General Requirements	Handling controlled substances without having first obtained a valid controlled substances permit	\$0-\$10,000
20-2-56	Maintenance of Records and Inventories by Registrants Generally	Failure to maintain records appropriately	\$0-\$25,000

Author: Alabama State Board of Pharmacy

Statutory Authority: 34-23-33

History: New Rule: Published _____; effective _____.

680-X-A-6 Civil Penalties for All Other Facility Types.

680-X-A-6 Civil Penalties for All Other Facility Types

Section Number	Section Title	Violation	Fine Amount
680-X-2-. 23	Drug Manufacturers; Wholesale Distributors; Private Label Distributors, Repackagers, Third-Party Logistics Providers, Outsourcing Facilities; Reverse Distributors; Retail Medical Oxygen Suppliers	Conviction of federal, state, or municipal drug law or violation of this rule	\$0-\$25,000
680-X-2-. 27	Private Consultation Areas for Pharmacies	Failure to have/maintain compliant private consultation area	\$1,000-\$5,000

680-X-3-01	Registration Requirements	Handling controlled substances without having first obtained a valid controlled substance registration	\$0-\$10,000
680-X-3-05	Recordkeeping By Manufacturers, Wholesalers, Or Distributors Of Controlled Substances And Submission Of Reports To The State Board Of Pharmacy.	Failure to submit records	\$0-\$5,000
680-X-3-06	Surrender Of License And Permits At Termination Of Operation, Inventory And Disposition Of Controlled Substances Drugs.	Failure to provide final inventory & disposition of controlled substances	\$0-\$5,000
34-23-6	Bankruptcy Sales, Auction Sales, Etc., of Drugs and Medicines	Failure to notify and/or provide records as required	\$0-\$5,000
34-23-9	Purity of Drugs Dispensed	Compounding, selling and/or dispensing adulterated substance	\$0-\$10,000
34-23-32	Manufacturer, Bottler, Packager, Repackager, Etc., of Drugs	Shipping into state legend drug/device without valid permit	As per § 34-23-32(g)
34-23-32	Manufacturer, Bottler, Packager, Repackager, Etc., of Drugs	Failure to provide a list of all trading partners upon Board request	\$0-\$50,000
34-23-32.1	Adherence to FDA Requirements Under Federal Prescription Drug Marketing Act of 1987	Failure to adhere to requirements of PDMA	\$0-\$50,000
34-23-32.2	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty.	Failure to adhere to requirements of DQSA	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Obtaining license, etc, by fraudulent means	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violating any law regulating sale or dispensing of prescription drugs	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction of a felony	\$0-\$50,000

34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of any provision of §34-23 or any board rule	Refer to corresponding schedule
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Facilitating any unlicensed person to practice pharmacy	\$0-\$10,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Suspension, revocation, or probation of license by another state	\$0-\$50,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Refusal to appear before the board after notice	\$0-\$10,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Making fraudulent or untrue statements to the board	\$0-\$20,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of the code of professional conduct	\$0-\$10,000
20-2-51	Registration of Persons Manufacturing, Distributing, or Dispensing Controlled Substances - General Requirements	Handling controlled substances without having first obtained a valid controlled substances permit	\$0-\$10,000
20-2-56	Maintenance of Records and Inventories by Registrants Generally	Failure to maintain records appropriately	\$0-\$25,000
20-2-182	License Required for Furnishing Listed Precursor Chemical; Licensing Procedure; Record of Transactions	Failure to make and keep records as required	\$0-\$10,000
20-2-185	Reporting Transactions - Board to Supply Form	Failure to report transfer	\$0-\$10,000
20-2-186	Procedure Upon Discovery of Loss or Theft of Chemicals - Records - Audits and Inspections of Records	Failure to report loss or theft as required by this section	\$0-\$10,000

20-2-186	Procedure Upon Discovery of Loss or Theft of Chemicals - Records - Audits and Inspections of Records	Failure to make and keep records as required by this section	\$0-\$10,000
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Author: Alabama State Board of Pharmacy

Statutory Authority: 34-23-33

History: New Rule: Published _____; effective _____.

680-X-A-7 Civil Penalties for Pharmacists.

680-X-A-7 Civil Penalties for Pharmacists

Section Number	Section Title	Violation	Fine Amount
680-X-2-.06	Absence of Licensed Pharmacist Supervising an Assistant	Failure to comply with absence requirements	\$0-\$250
680-X-2-.08	Pharmacist Consultants of Pharmaceutical Services	Practice without having first obtained Certification	\$0-\$5,000
680-X-2-.08	Pharmacist Consultants of Pharmaceutical Services	Failure to meet consultant CE requirements	\$0-\$500 + additional CE
680-X-2-.09	Training for Preceptors	Failure to meet preceptor CE requirements	\$0-\$250 + additional CE
680-X-2-.12	Supervising Pharmacist	Exceeding approved supervising pharmacist practice sites	\$0-\$750
680-X-2-.12	Supervising Pharmacist	Failure to work minimum hours	\$0-\$750
680-X-2-.12	Supervising Pharmacist	Failure to notify board of supervising pharmacist change	\$0-\$2,000
680-X-2-.12	Supervising Pharmacist	Noncompliance with any duty in subsection (4)	\$0-\$3,000
680-X-2-.13	Prescription Labels	Noncompliance with dispensing label requirements	\$0-\$500
680-X-2-.14	The Role of Technicians in Pharmacies	Performing tasks prohibited in subsection (3)	\$0-\$5,000
680-X-2-.14	The Role of Technicians in Pharmacies	Exceeding allowable technician ratio	\$0-\$3,000
680-X-2-.14	The Role of Technicians in Pharmacies	Failure to supervise technicians on duty	\$0-\$3,000
680-X-2-.15	Record-keeping Requirements	Failure to maintain required records - legend drugs	\$0-\$3,000

680- X-2-.15	Record-keeping Requirements	Failure to maintain required records - controlled substances	\$0-\$3,000
680- X-2-.16	Interns and Externs	Preceptor exceeding intern/extern ratio	\$0-\$3,000
680- X-2-.18	Institutional Pharmacies	Failure to maintain and follow required policies and procedures	\$0-\$2,000
680- X-2-.18	Institutional Pharmacies	Failure to properly manage drug storage/distribution, including outside/investigational drugs	\$0-\$2,000
680- X-2-.18	Institutional Pharmacies	Noncompliance with requirements for stat cabinets/emergency kits/automated dispensing systems	\$0-\$2,000
680- X-2-.18	Institutional Pharmacies	Emergency dispensing of drug without board approval	\$0-\$2,000
680- X-2-.18	Institutional Pharmacies	Noncompliance with emergency dispensing labeling requirements	\$0-\$2,000
680- X-2-.18	Institutional Pharmacies	Performing or receiving centralized services without notice to Board	\$0-\$2,000
680- X-2-.18	Institutional Pharmacies	Performing or receiving unapproved functions through centralized services	\$0-\$2,000
680- X-2-.19	Parenteral Sterile Therapy	Compounding/dispensing sterile products without having first obtained valid certification	\$0-\$15,000
680- X-2-.19	Parenteral Sterile Therapy	Failure to meet parenteral CE requirements	\$0-\$750 + additional CE
680- X-2-.19	Parenteral Sterile Therapy	Failure of supervising pharmacist to verify parenteral certifications	\$0-\$3,000
680- X-2-.20	Nuclear Pharmacy	Operating without having first obtained a valid certification	\$0-\$15,000
680- X-2-.20	Nuclear Pharmacy	Transfer of radioactive materials to unauthorized user	\$0-\$3,000
680- X-2-.20	Nuclear Pharmacy	Noncompliance with packaging/labeling requirements for radiopharmaceuticals	\$0-\$3,000
680- X-2-.20	Nuclear Pharmacy	Failure to meet nuclear CE requirements	\$0-\$750 + additional CE
680- X-2-.20	Nuclear Pharmacy	Failure to maintain required records	\$0-\$3,000
680- X-2-.21	Patient Counseling	Failure to offer counseling and/or provide contact information	\$0-\$3,000
680- X-2-.21	Patient Counseling	Failure to maintain required patient profiles	\$0-\$3,000
680- X-2-.21	Patient Counseling	Noncompliance with required clinical references	\$0-\$1,000

680- X-2-.22	Code of Professional Conduct	Any violation of this section	\$0-\$3,000
680- X-2-.26	Emergency Prescription Refills	Emergency refill of Schedule I or II substances	\$0-\$3,000
680- X-2-.26	Emergency Prescription Refills	Exceeding emergency refill days supply limits and/or annual limit per drug	\$0-\$3,000
680- X-2-.26	Emergency Prescription Refills	Failure to timely notify prescriber	\$0-\$3,000
680- X-2-.26	Emergency Prescription Refills	Failure to maintain required records	\$0-\$3,000
680- X-2-.28	Temporary Absences of Pharmacists During Break and Meal Period	Failure to comply with requirements	\$0-\$1,000
680- X-2-.30	Central Prescription Filling	Performing or receiving central fill services without board approval	\$0-\$3,000
680- X-2-.30	Central Prescription Filling	Failure to maintain required records	\$0-\$3,000
680- X-2-.30	Central Prescription Filling	Failure to maintain and follow required policies/procedures	\$0-\$3,000
680- X-2-.30	Central Prescription Filling	Failure to follow labeling requirements	\$0-\$500
680- X-2-.32	Prescriptions by Electronic Means	Dispensing non-compliant prescriptions for legend drugs	\$0-\$1,000
680- X-2-.32	Prescriptions by Electronic Means	Dispensing non-compliant prescriptions for controlled substances	\$0-\$2,000
680- X-2-.33	Internet Pharmacies	Failure to ensure valid patient-practitioner relationship and/or legitimate medical purpose	\$0-\$5,000
680- X-2-.36	Continuing Education for Pharmacists	Failure to meet CE requirements (*if not eligible for non-disciplinary resolution)	\$0-\$2,500 + additional CE
680- X-2-.39	Pharmacy Off Site Order Entry	Practicing off-site order entry without appropriate notification to the Board	\$0-\$3,000
680- X-2-.39	Pharmacy Off Site Order Entry	Failure to maintain required records	\$0-\$3,000
680- X-2-.39	Pharmacy Off Site Order Entry	Exceeding allowable technician ratio	\$0-\$3,000
680- X-2-.41	Pharmacy Services Permit	Failure to maintain and follow required procedures	\$0-\$2,000
680- X-2-.41	Pharmacy Services Permit	Failure to follow other requirements specified by the Board	\$0-\$2,000

680- X-2-.42	Requirements For The Disposal Of Prescription Drug By Pharmacies Collected From Ultimate User(s) Or Person(s) Entitled To Dispose Of Drugs	Receiving, collecting, and/or disposing of controlled substances without receiving DEA authorization	\$0-\$3,000
680- X-2-.44	Collaborative Practice	Pharmacist practicing under invalid/expired/unapproved CPA	\$0-\$5,000
680- X-2-.44	Collaborative Practice	Failure to notify patient and/or document consent	\$0-\$5,000
680- X-2-.44	Collaborative Practice	Pharmacist failure to notify Board of amendment or voluntary termination of CPA	\$0-\$5,000
680- X-2-.44	Collaborative Practice	Operating outside the scope of an approved agreement	\$0-\$5,000
680- X-2-.44	Collaborative Practice	Pharmacist exceeding number of collaborating physicians	\$0-\$5,000
680- X-2-.44	Collaborative Practice	Failure to comply with provisions pertaining to covering pharmacist	\$0-\$5,000
680- X-2-.44	Collaborative Practice	Any violations listed in (10) (f)	\$0-\$5,000
680- X-2-.44	Collaborative Practice	Failure to maintain required records	\$0-\$5,000
680- X-2-.45	Transferring Prescriptions	Failure to create and/or maintain required records	\$0-\$3,000
680- X-2-.46	Immunization Training	Administering immunizations without required training	\$0-\$5,000
680- X-2-.46	Immunization Training	Administering immunizations not in compliance with rule	\$0-\$1,000
680- X-2-.46	Immunization Training	Supervising pharmacist failure to ensure required training is current	\$0-\$750
680- X-2-.47	Off-Site Vaccine Order Entry Processing	Performing pharmacy functions not allowed under this section	\$0-\$3,000
680- X-2-.47	Off-Site Vaccine Order Entry Processing	Failure to maintain required records	\$0-\$3,000
680- X-2-.48	State of Emergency Provisions	Supervising Pharmacist: Failure to notify Board	\$0-\$1,000
680- X-2-.49	Remote Work by Pharmacists	Engaging in remote work without satisfying general requirements in subsection (2)	\$0-\$3,000
680- X-2-.49	Remote Work by Pharmacists	Violation of prohibited activities specified in subsection (3)	\$0-\$3,000
680- X-3-.01	Registration Requirements	Handling controlled substances without having first obtained a	\$0-\$3,000

		valid controlled substance registration	
680-X-3-.09	Invoices And Acquisitions Of Controlled Substances	Noncompliance with pharmacist review and approval of controlled substances and/or documentation	\$0-\$1,000
680-X-3-.10	Facsimile Prescription Drug Orders For Controlled Substances	Inappropriate dispensing of Schedule II prescriptions transmitted via fax	\$0-\$5,000
34-23-8	Substitution of Drugs or Brands of Drugs	Substitution without practitioner authorization	\$0-\$2,500
34-23-8	Substitution of Drugs or Brands of Drugs	Failure to label with actual drug product name	\$0-\$2,500
34-23-8.1	Substitution of Certain Biological Products; Notice	Substitution without practitioner authorization	\$0-\$2,500
34-23-8.1	Substitution of Certain Biological Products; Notice	Substitution with non-interchangeable biologic	\$0-\$2,500
34-23-8.1	Substitution of Certain Biological Products; Notice	Failure to notify practitioner or failure to notify patient	\$0-\$2,500
34-23-8.1	Substitution of Certain Biological Products; Notice	Failure to label with actual biologic dispensed	\$0-\$2,500
34-23-9	Purity of Drugs Dispensed	Compounding, selling and/or dispensing adulterated substance	\$0-\$10,000
34-23-10	Notification by Pharmacists of Change of Employment	Failure to provide notice as required	\$0-\$2,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Obtaining license, etc., by fraudulent means	\$0-\$5,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violating any law regulating sale or dispensing of prescription drugs	\$0-\$20,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction of a felony	\$0-\$20,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction that reflects inability to practice with due regard for the health and safety of the patients	\$0-\$10,000

34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Demonstrated inability to practice with reasonable skill and safety	\$0-\$1,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Gross or repeated malpractice	\$0-\$15,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of any provision of 34-23 or any board rule	Refer to corresponding schedule
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Facilitating any unlicensed person to practice pharmacy	\$0-\$1,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Suspension, revocation, or probation of license by another state	\$0-\$5,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Refusal to appear before the board after notice	\$0-\$3,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Making fraudulent or untrue statements to the board	\$0-\$5,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of the code of professional conduct	\$0-\$3,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Exceeding allowable pharmacist absence and/or failure to post notice	\$0-\$1,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Failure to display license or permit	\$0-\$1,000

34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Accepting return of unused dispensed prescription	\$0-\$1,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Noncompliant sale and/or display of poison	\$0-\$1,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Authorizing alternate pick-up site	\$0-\$1,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Supplying imprinted prescription blank	\$0-\$1,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Unauthorized person receiving oral prescription order	\$0-\$5,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Failure to make and/or maintain required records	\$0-\$3,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Inappropriate drug storage location	\$0-\$5,000
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Selling/dispensing/refilling legend drug without prescription	\$0-\$3,000
34-23-75	Emergency Prescription Refill	Inappropriate emergency refill	\$0-\$3,000
34-23-75	Emergency Prescription Refill	Failure to maintain required documentation	\$0-\$3,000
34-23-75	Emergency Prescription Refill	Failure to notify prescriber	\$0-\$3,000
34-23-77	Collaborative Practice Agreement	Operating without approval of Boards and/or operating outside scope	\$0-\$5,000
34-23-151	Continuing Education; Technician Assistance; Duties of Pharmacist	Any violation of this section	\$0-\$5,000

34-23-153	Use, Maintenance, and Inspection of Compounding Equipment	Compounding with equipment or utensils not appropriate for use with specific components utilized	\$0-\$5,000
34-23-153	Use, Maintenance, and Inspection of Compounding Equipment	Failure to clean, calibrate, or otherwise maintain compounding equipment in an appropriate manner	\$0-\$5,000
34-23-153	Use, Maintenance, and Inspection of Compounding Equipment	Failure to follow procedures to prevent cross contamination by hazardous drugs	\$0-\$5,000
34-23-154	Drug Components to Meet Certain Requirements	Failure to utilize drug components meeting appropriate quality standards	\$0-\$5,000
34-23-154	Drug Components to Meet Certain Requirements	Failure to store drugs and/or chemicals under appropriate conditions	\$0-\$5,000
34-23-155	Drug Product Containers and Closures	Handling or storing containers and closures in unsafe and/or unsanitary conditions	\$0-\$1,000
34-23-155	Drug Product Containers and Closures	Failure to use containers and closures appropriate for the compounded product	\$0-\$1,000
34-23-157	Components Transferred to Non-original Container; Advance Product Preparation; Labeling	Failure to label in compliance with this section	\$0-\$2,500
34-23-158	Retention of Records	Failure to maintain records	\$0-\$2,000
34-23-160	Preparation of Compounded Drug Products for Prescriber's Office Use; Labeling	Failure to maintain records	\$0-\$2,000
34-23-160	Preparation of Compounded Drug Products for Prescriber's Office Use; Labeling	Compounding without prescriber order	\$0-\$3,000
34-23-160	Preparation of Compounded Drug Products for Prescriber's Office Use; Labeling	Noncompliance with labeling requirement	\$0-\$3,000
34-23-161	Prescriptions for Animals	Compounding without prescriber order	\$0-\$3,000
34-23-161	Prescriptions for Animals	Noncompliance with other applicable requirements	\$0-\$3,000

20-2-51	Registration of Persons Manufacturing, Distributing, or Dispensing Controlled Substances - General Requirements	Handling controlled substances without having first obtained a valid controlled substances permit	\$0-\$3,000
20-2-56	Maintenance of Records and Inventories by Registrants Generally	Failure to maintain records appropriately	\$0-\$3,000

Author: Alabama State Board of Pharmacy

Statutory Authority: 34-23-33

History: New Rule: Published _____; effective _____.

680-X-A-8 Civil Penalties for Pharmacy Technicians.

680-X-A-8 Civil Penalties for Pharmacy Technicians

Section Number	Section Title	Violation	Fine Amount
680-X-2-14	The Role of Technicians in Pharmacies	Performing tasks prohibited in subsection (3)	\$0-\$250
680-X-2-46	Immunization Training	Administering immunizations without required training	\$0-\$200
680-X-2-46	Immunization Training	Administering immunizations not in compliance with rule	\$0-\$200
680-X-2-47	Off-Site Vaccine Order Entry Processing	Performing pharmacy functions not allowed under this section	\$0-\$200
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Obtaining license, etc, by fraudulent means	\$0-\$1,500
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violating any law regulating sale or dispensing of prescription drugs	\$0-\$2,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction of a felony	\$0-\$2,000

34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction that reflects inability to practice with due regard for the health and safety of the patients	\$0-\$1,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Demonstrated inability to practice with reasonable skill and safety	\$0-\$100
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of any provision of §34-23 or any board rule	Refer to corresponding schedule
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Facilitating any unlicensed person to practice pharmacy	\$0-\$200
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Refusal to appear before the board after notice	\$0-\$500
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Making fraudulent or untrue statements to the board	\$0-\$1,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of the code of professional conduct	\$0-\$500
34-23-70	Management; Display of Permit and License; Poisons; Prescription Requirements; Violations	Unauthorized person receiving oral prescription order	\$0-\$250
34-23-131	Registration and Supervision; Rule Making Authority; Continuing Education	Working or present inside pharmacy without direct supervision	\$0-\$250
34-23-131	Registration and Supervision; Rule Making Authority; Continuing Education	Failure to meet CE requirements	\$0-\$250

Author: Alabama State Board of Pharmacy
Statutory Authority: 34-23-33

History: New Rule: Published _____; effective _____.

680-X-A-9 Civil Penalties for All Other License Types.

680-X-A-9 Civil Penalties for All Other License Types

Section Number	Section Title	Violation	Fine Amount
680-X-2-10	Reporting Place of Employment, Interns and Externs	Failure to report change in practice site as required by rule	\$0-\$750
680-X-2-16	Interns and Externs	Failure to report change in employment and/or practice site as required by rule	\$0-\$750
680-X-2-46	Immunization Training	Administering immunizations without required training	\$0-\$200
680-X-2-46	Immunization Training	Administering immunizations not in compliance with rule	\$0-\$200
680-X-2-47	Off-Site Vaccine Order Entry Processing	Performing pharmacy functions not allowed under this section	\$0-\$200
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Obtaining license, etc., by fraudulent means	\$0-\$1,500
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violating any law regulating sale or dispensing of prescription drugs	\$0-\$2,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction of a felony	\$0-\$2,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Conviction that reflects inability to practice with due regard for the health and safety of the patients	\$0-\$1,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Demonstrated inability to practice with reasonable skill and safety	\$0-\$100

34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of any provision of §34-23 or any board rule	Refer to corresponding schedule
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Facilitating any unlicensed person to practice pharmacy	\$0-\$200
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Refusal to appear before the board after notice	\$0-\$500
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Making fraudulent or untrue statements to the board	\$0-\$1,000
34-23-33	Revocation, Suspension, Etc., of License or Certificate; Non-disciplinary Administrative Penalty	Violation of the code of professional conduct	\$0-\$500

Author: Alabama State Board of Pharmacy

Statutory Authority: 34-23-33

History: New Rule: Published _____; effective _____.

**ECONOMIC IMPACT STATEMENT
FOR APA RULE
(Section 41-22-23(f))**

Control No: 680
Department or Agency: Alabama State Board of Pharmacy
Rule No: Chapter 680-X-A
Rule Title: Appendices
Intended Action: New

 This rule has no economic impact.

 Yes This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:

In Act No. 2025-372, the Alabama Legislature directed that the Alabama Board of Pharmacy, "by rule, shall adopt monetary penalty schedules that shall include both civil penalties and administrative fines and shall be dollar amount ranges based on the underlying violation. The board shall adopt separate penalty schedules for specific types or categories of individuals and entities subject to this chapter, including, but not limited to, separate penalty schedules for chain pharmacies, independent pharmacies, manufacturers, and distributors. No later than the effective date of the certified rule or rules, the board shall publish the penalty schedules on the board's website." The proposed rule will implement, in part, requirements imposed by the Legislature. In addition to complying with this legislative mandate, the Board has determined that the proposed rule is needed to restore the Board's monetary penalty authority: under Act No. 2025-372, beginning January 1, 2026, the Board may not impose any monetary penalty unless the penalty is covered and addressed by a penalty schedule that has been certified and published on the Board's website. The expected benefits of the proposed rule, if adopted, include transparency (licensees can ascertain in advance the range of monetary exposure associated with any disciplinary violation), greater consistency and proportionality in penalty amounts, and deterrence of conduct that endangers public health and safety.

2. COSTS/BENEFITS OF RULE AND WHY RULES IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVING THE STATED PURPOSE:

The proposed rule is designed and intended to implement certain requirements outlined in Act No. 2025-372. The Legislature has

determined, and the Board agrees, that having schedules of fine ranges for particular disciplinary violations serves the public interest. The Board believes that the proposed rule faithfully implements the Legislature's intent. The proposed rule creates no new substantive duties, recordkeeping obligations, fees, or operational requirements; it only structures the monetary consequences of violating duties that already exist under existing law. The proposed rules, if adopted, will impose costs only on those licensees who commit disciplinary violations of the statutes and rules enforced by the Board, and only after due process is observed. Any such costs will help to incentivize compliance with the applicable statutes and rules, which will promote public health and safety. The proposed rule is clearly superior to known alternatives. Flat, fixed penalties or very narrow ranges for each violation would be simpler to administer, but would be disproportionate, treating an isolated, unintentional oversight the same as a systematic, intentional violation causing patient harm. Pure case-by-case discretion with wide penalty ranges would maximize flexibility, but would minimize predictability and invite inconsistency. The approach embodied in the proposed rule—published penalty ranges for each violation and licensee category, an advisory scoring methodology applied to those ranges, and bounded authority to depart from the advisory amount — balances the proportionality of individualized assessment with the predictability of a published schedule. The Board is not aware of any more effective, efficient, nor feasible means for allocating resources nor for achieving the Legislature's stated intent.

3. EFFECT OF THIS RULE ON COMPETITION:

Adoption of the proposed rule should have little to no effect on competition. Published, uniform schedules, together with a formal scoring mechanism, reduce the possibility that arbitrary or inconsistent penalty practices could advantage one competitor over another. As the statute requires, the schedules are differentiated by category — chain pharmacies, independent pharmacies, other pharmacy types, pharmacists, technicians, other license types, manufacturers, distributors, and other facility types — so that penalty ranges are calibrated to the structural differences among segments of the regulated market rather than applied identically to dissimilar actors. Within each category, all competitors would face the same published ranges and the same scoring methodology. To the extent that the proposed rule would affect competition, it would create a small advantage in favor of licensees who obey all applicable statutes and rules, and a small disadvantage for licensees who violate applicable statutes and rules. In doing so, the proposed rule would tend to incentivize compliance with Alabama laws and regulations governing pharmacy, and would thus tend to promote the public health and welfare.

4. **EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:**

The proposed rule, if adopted, would be applicable uniformly to all holders of licenses issued by the Board within and outside the State of Alabama. The proposed rule is expected to have little to no effect on the cost of living and of doing business in the State of Alabama. To the extent that there is any effect at all on the cost of living and of doing business in the State of Alabama, the Board generally anticipates that overall aggregate monetary penalties under the proposed rule will be less than the overall aggregate monetary penalties historically imposed by the Board (assuming that overall levels of legal compliance within the pharmacy industry remain constant). In addition, the Board anticipates that the proposed scoring methodology will lead to greater predictability and consistency in monetary fines imposed, which could tend to slightly decrease the overall costs of living and of doing business in the State of Alabama by slightly decreasing regulatory compliance costs.

5. **EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:**

The proposed rule, if adopted, would be applicable uniformly to all holders of licenses issued by the Board within and outside the State of Alabama. The proposed rule is expected to have little to no effect on employment in the State of Alabama. The Board generally expects that overall aggregate monetary penalties under the proposed rule to be slightly less than the overall aggregate monetary penalties historically imposed by the Board (assuming that overall levels of legal compliance within the pharmacy industry remain constant). In addition, the Board expects that the proposed scoring methodology will lead to greater predictability and consistency in monetary fines imposed, which could tend to slightly increase employment in Alabama by slightly decreasing regulatory compliance costs.

6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:

The proposed rule implements Legislative requirements for the Board, and does not create any new regulatory mandates, reporting requirements, or prohibitions for individuals and entities licensed and/or regulated by the Board. Therefore, the Board does not expect to incur any additional material costs associated with implementing and enforcing the proposed rule. Costs associated with implementing and enforcing the proposed rule, if any, would be paid exclusively from Board funds. The Board does not receive any general fund appropriations from the Legislature and does not have any broad-based taxing authority. Instead, the Board is funded through licensing fees authorized by the Legislature and, to a much lesser extent, monetary penalties assessed on holders of licenses engaged in the pharmaceutical industry in Alabama (e.g., pharmacists, pharmacy technicians, pharmacies, manufacturers, and drug distribution facilities).

7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON EFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

As discussed above, the adoption of the proposed regulation is not expected to have any substantial short-term or long-term economic impacts. The proposed regulation implements Legislative requirements for the Board, and does not create any new regulatory mandates, reporting requirements, or prohibitions for individuals and entities licensed and/or regulated by the Board. Any costs occasioned by adoption of this proposed rule will be borne by licensed persons and entities (e.g., pharmacists, pharmacy technicians, pharmacies, manufacturers, and drug distribution facilities) who are found, after due process, to have violated the laws and regulations applicable to the pharmacy industry in Alabama. The direct beneficiaries of the proposed rule include licensees who comply with applicable laws and regulations, who would gain predictability and protection against inconsistent penalty determinations, as well as respondents in disciplinary proceedings, who would gain published, bounded penalty exposure. Indirect beneficiaries include patients and the general public, who would benefit from the deterrence of violations that endanger public health and from continued access to pharmacy services in circumstances where a calibrated monetary penalty serves as a proportional alternative to license suspension or permit revocation.

8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:

The principal benefits and burdens of the proposed rule resist precise quantification, and the Board acknowledges those limits. Factors driving uncertainty include, but are not limited to: the propensity of licensed persons and entities (e.g., pharmacists, pharmacy technicians, pharmacies, manufacturers, and drug distribution facilities) to comply with or violate laws and regulations applicable

to the pharmacy industry in Alabama; the propensity and/or ability of the Board's staff to successfully detect and investigate any such violations, if any; the potential availability of non-disciplinary administrative penalties, if any, as alternatives to civil penalties; individual investigative and charging decisions made in particular cases; the Board's ability to marshal and present evidence to support proof of disciplinary violations; evidence of any mitigating factors presented in contested cases by respondents, if any; future changes in laws and regulations, if any; and innumerable other factors. Because of these uncertainties, it is not feasible to create any meaningful empirical or quantitative analysis of the proposed rule. In addition, the principal benefits and burdens of the proposed rule are qualitatively dissimilar and difficult to compare on a common scale: monetary penalties are denominated in dollars, while the principal expected benefits of the proposed rule – violations deterred and patient harm avoided – are health and safety outcomes that cannot be directly observed or priced.

9. **THE EFFECT OF THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:**

The adoption of the proposed rule is not expected to have any substantial effect on the environment (e.g., clean air, water, and soil). The adoption of the proposed rule is, however, expected to have a positive effect on public health. The proposed scoring methodology allocates half of its total weight to the level of risk to public health and safety, so that civil penalties escalate most sharply for the conduct posing the greatest danger to patients, and the proposed penalty schedules assign the highest penalty ranges to the violations with the most serious public health consequences.

10. **DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:**

As set forth above, the adoption of the proposed rule is not expected to have any substantial effect on the environment (e.g., clean air, water, and soil). If the proposed rule or some version of it is not implemented, however, a significant detriment to the public generally will exist because the Legislature has expressly commanded that a rule of this nature be adopted. In addition, under Act No. 2025-372, the Board may not impose any monetary penalty unless the penalty is covered and addressed by a certified and published penalty schedule. If the proposed rule is not implemented, the Board will therefore remain unable to impose monetary penalties for any violation, weakening deterrence of conduct that directly endangers public health – including the dispensing of adulterated or improperly compounded drugs, violations involving controlled substances, and the unlicensed practice of pharmacy – and leaving harsher sanctions, such as license suspension or permit revocation, as the Board's principal means of enforcement.

APA-6

Signature of certifying officer

Jon M Linna

Jon Linna

Date

Wednesday, June 17, 2026