

**CERTIFICATION OF ADMINISTRATIVE RULES  
FILED WITH THE LEGISLATIVE SERVICES AGENCY  
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Wednesday, July 15, 2026, and filed with the agency secretary on Wednesday, July 15, 2026.

**AGENCY NAME:** Alabama State Board of Pharmacy

**INTENDED ACTION:** Amend

**RULE NO.:** 680-X-2-.40

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) **(a) (1) through (a) (5)**

**RULE TITLE:** Non-Disciplinary Penalties

**ACTION TAKEN:** State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

**Adopted without changes.** During the comment period, the Board received one written comment dated July 6, 2026 (the "Comments"), which advanced six objections and urged the Board to withdraw or republish the amendment. Because conflicting views were submitted, and having fully considered all written and oral submissions, the Board issues this concise statement of the principal reasons for and against adoption, and its reasons for overruling the considerations urged against adoption, as required by Ala. Code § 41-22-5(a) (2).

The proposed amendments to the preliminary procedural text of Rule 680-X-2-.40 are designed and intended to address concerns expressed in a March 19, 2026 letter from the Co-Chairs of the Legislative Council. Consistent with the Co-Chairs' letter, the proposed amendment removes the provision that had permitted the Board to "reclassify any violation as disciplinary if evidence suggests a higher level of risk, intent, or patient harm," and removes the provision that had permitted a contested administrative fine to be "replaced with disciplinary action." The Board fully embraces the legislative oversight provided as part of the rulemaking process, and therefore finds that there is a highly significant public interest in addressing the Legislative Council's concerns.

The Comments advanced six objections, each of which the Board has considered and overrules.

1. Administrative fines that are "final and non-appealable."

Objection: The Comments argued that an administrative fine is a monetary penalty under § 34-23-33(b) (1), and, because state law affords a right to appeal a Board order to circuit court, the rule may not make an uncontested fine "final and non-appealable."

Response: The amendment does not extinguish the right of judicial review; it conditions that right on the licensee's timely notice to the Board that it wishes to take advantage of the contested-case process. Section

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34-23-94 provides for judicial review of orders of the Board, while confirming that the appeal provisions of the Administrative Procedure Act apply. The Alabama Administrative Procedure Act affords judicial review to a party aggrieved by a final decision in a contested case who has exhausted available remedies. See Ala. Code § 41-22-20. The amendment preserves that right for every licensee who timely contests a proposed administrative fine: the matter then proceeds "as a contested case before the Board, including the right of judicial review." A licensee who does not contest a proposed non-disciplinary fine within thirty days has not disputed the Board's factual and legal allegations, and has not exhausted its administrative remedies; the resulting assessment is a contested-case disposition by default, which is expressly authorized by the Administrative Procedure Act. See Ala. Code § 41-22-12(f). A licensee who wishes to preserve its right of judicial review needs only to timely notify the Board that it disputes the administrative fine, and the matter proceeds to a full contested-case hearing at which the Board must carry its burden, and after which the licensee may seek judicial review.

2. Assessment upon a licensee's failure to respond.

Objection: The Comments argue that Section 34-23-33(a) authorizes a monetary penalty only where the Board finds a violation "by a preponderance of the evidence" or "pursuant to a consent decree." The Comments argue that an assessment upon a licensee's failure to respond satisfies neither predicate and shifts to the licensee the burden of proof that § 34-23-34 places on the Board.

Response: The Administrative Procedure Act expressly authorizes resolution of a contested case by default. It provides that "informal dispositions may be made of any contested case by ... default," § 41-22-12(f). The Notice of Proposed Administrative Fine identifies the statute or rule violated and sets out "a short and plain statement of the facts substantiating the alleged violation." If the licensee does not respond, those facts stand undisputed and uncontested, providing a basis for a finding by a preponderance of the evidence that the alleged facts are true, and serving as the functional equivalent of a consent decree. The burden of proof is not shifted: a licensee who wishes to put the Board to its proof needs only to timely notify the Board of the dispute, and the matter proceeds to a hearing at which the Board must carry its burden.

3. Schedule entries providing for a warning with no fine.

Objection: The Comments argue that Section 34-23-33(b)(2) requires the schedules to be "dollar amount ranges based on the underlying violation," and entries reading "Warning Letter, no fine" are not ranges of dollar amounts.

Response: A warning carrying no fine is not a monetary penalty; it is a lesser, non-monetary compliance measure the Board may use in lieu of a fine, and the statutory requirement that penalty schedules be stated as dollar-amount ranges does not govern it. Nothing in § 34-23-33 requires the Board to impose a monetary penalty for every violation, and nothing in § 34-23-33 precludes the Board from including lesser, non-monetary measures in the administrative fine schedules.

4. Treatment of a repeat of the same violation within five years.

Objection: The Comments argue that Section 34-23-33 requires an absolute and permanent distinction between non-disciplinary and disciplinary offenses, and the provision treating a repeat of the same violation within five years as a disciplinary matter exceeds the statute.

Response: The classification of a violation as disciplinary or non-disciplinary is committed to the Board. Section 34-23-33(b)(1) authorizes

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penalties "in the form of civil penalties for disciplinary violations and administrative fines for non-disciplinary violations ... as determined by the board." Treating a repeat of the same violation within five years as a disciplinary matter in certain cases is a permissible exercise of that discretion. The proposed rule amendment reduces the applicable "look-back" period from ten years to five, which will provide greater opportunities for non-disciplinary resolutions instead of disciplinary resolutions, even for certain repeated violations.

5. Reportability to the National Practitioner Data Bank.

Objection: The Comments take issue with the Rule's notification to licensees that administrative non-disciplinary fines are generally regarded as non-reportable to the National Practitioner Data Bank, while noting that NPDB reportability is ultimately governed by federal law and depends on the facts of each individual case.

Response: Reportability to the National Practitioner Data Bank is governed exclusively by federal law, not by any State-level rule. The Board cannot lawfully guarantee that an action is or is not reportable where the federal standard controls, and a categorical assurance of non-reportability could itself mislead licensees. The rule accurately discloses that fines under the schedule are designed to correspond to the categories of non-reportable administrative citations described in the NPDB Guidebook, and are therefore generally non-reportable, while candidly noting that other factors may trigger federal reporting obligations the Board is bound to follow.

6. The transmittal (APA-1) and the absence of a fiscal note.

Objection: The Comments argue that the proposed rule amendment would have an "economic impact," requiring the preparation of a fiscal note.

Response: A fiscal note under § 41-22-23(f) addresses a rule that "has an economic impact" on the regulated economy – its effect on competition, on the cost of living and of doing business, and on employment, "in the geographical area in which the rule would be implemented," and the like. The proposed amendment alters only the procedural text relating to the imposition of non-disciplinary fines, and these changes are designed to address concerns raised by the Legislative Council. The Board has determined that the proposed amendments will not have any "economic impact" within the meaning of § 41-22-23(f).

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLIV, ISSUE NO. 8, AAM,  
DATED FRIDAY, MAY 29, 2026.

**STATUTORY RULEMAKING AUTHORITY:** 34-23-33

(Date Filed)  
(For LRS Use Only)

*Jon M Linna*

Jon Linna

Certifying Officer or his or her  
Deputy

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(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

**Non-Disciplinary Penalties.**

(1) Pursuant to the requirements set forth in Code of Ala. 1975, §34-23-33(b), this Rule adopts an administrative fine penalty schedule for non-disciplinary violations.

(2) The Board has the discretion to impose an administrative fine for any violation listed in the non-disciplinary penalty schedule. If the Board elects to issue an administrative fine, that individual or permittee may not receive another administrative fine for the same violation within a five (5) year period. Any subsequent occurrence of that same violation within five (5) years shall be treated as a disciplinary matter, unless otherwise specified in the schedule.

(3) The procedure for imposition of an administrative fine pursuant to this Rule shall be as follows:

(a) The decision to initiate imposition of an administrative fine, and the amount of the proposed administrative fine, shall be made by the Board in a public meeting.

(b) When considering the amount of an administrative fine for a specific violation, the Board shall consider the statutorily prescribed factors of (i) the level and scope of misconduct, (ii) the level of risk to public health and safety, and (iii) the compliance history of the violator.

(c) Upon direction by the Board, the Executive Secretary shall issue a written "Notice of Proposed Administrative Fine" to the licensee, which shall include at least the following information:

(i) An identification of the statute or rule allegedly violated by the licensee;

(ii) A short and plain statement of the facts substantiating the alleged violation;

(iii) The proposed dollar amount of the administrative fine;

(iv) A notice that, if the licensee wishes to contest the administrative fine, the licensee may request a public hearing before the Board, including instructions on how to contest the administrative fine;

(v) A notice that, if the licensee does not contest the proposed administrative fine within thirty (30) days of

service, then the proposed administrative fine will be assessed and will be deemed final and non-appealable; and

(vi) A notice to the license holder to review this Rule 680-X-2-.40.

(d) If the licensee does not contest the proposed administrative fine within thirty (30) days of services of the Notice of Proposed Administrative Fine, then the proposed administrative fine will be assessed and will be deemed final and non-appealable.

(e) If the licensee contests the administrative fine within thirty (30) days of service of the Notice of Proposed Administrative Fine, then the matter shall be heard in a public hearing as a contested case before the Board, including the right of judicial review. Provided, however, that if the matter is heard and determined by the Board as a contested case hearing, that shall not change the administrative and non-disciplinary character of the fine, and the amount of the administrative fine imposed after the hearing shall not exceed the amount initially proposed by the Board in the Notice of Proposed Administrative Fine.

(4) The Board's classification of the violations scheduled below is designed and intended to correspond generally to the categories of non-reportable administrative citations described on page E-64 of the National Practitioner Data Bank ("NPDB") Guidebook. Accordingly, administrative fines assessed under this Rule are generally regarded as non-reportable to the NPDB. Practitioners are advised, however, that other factors may cause an administrative fine to be reportable. In all cases, the Board will follow the requirements of federal law with respect to NPDB reporting.

(5) If a non-disciplinary violation occurs alongside a disciplinary violation, the disciplinary violation shall proceed through the formal disciplinary process, while the non-disciplinary violation will be addressed pursuant to this Rule.

(6) The tables below set forth each non-disciplinary violation, the individual or permittee eligible for a non-disciplinary penalty, and the associated administrative fine. For the purposes of the table below, the term "license" refers to any license, permit, certificate, or registration issued by the Board.

**Administrative Fines for Pharmacy Technicians**

| Description | Fine |
|-------------|------|
|-------------|------|

|                                                                                     |                                                                                              |
|-------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| Failure to Complete Required Continuing Education                                   | First violation: \$0-\$100<br><br>Second violation: \$0-\$100 + \$10/hr short of requirement |
| Failure to complete technician training program in compliance with Rule 680-X-2-.14 | \$0-\$200                                                                                    |
| Failure to Submit Documentation of Training Within 10 Days                          | \$0-\$25                                                                                     |
| Failure to Report Employment Within 10 Days                                         | First violation: Warning Letter, no fine<br><br>Second violation: \$0-\$500                  |
| Failure to wear name tag                                                            | \$0-\$25                                                                                     |

#### **Administrative Fines for Interns/Externs**

| Description                                 | Fine                                                                        |
|---------------------------------------------|-----------------------------------------------------------------------------|
| Failure to Report Employment Within 10 Days | First violation: Warning Letter, no fine<br><br>Second violation: \$0-\$500 |

#### **Administrative Fines for Pharmacists**

| Description                                                                                                                                                                                           | Fine                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|
| Failure to Complete Required Continuing Education                                                                                                                                                     | First violation: \$0-\$250<br><br>Second violation: \$0-\$250 + \$25/hr short of requirement |
| Failure to Report Employment Within 10 Days                                                                                                                                                           | First violation: Warning Letter, no fine<br><br>Second violation: \$0-\$1,000                |
| Unauthorized Presence Inside the Pharmacy excluding:<br><br>1. Cashiers<br>2. Shadowing in compliance with Board Policy 23-006<br>3. Individuals authorized under applicable statute, rule, or policy | \$0-250                                                                                      |
|                                                                                                                                                                                                       | \$0-\$100                                                                                    |

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|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| Failure to Renew Collaborative Practice Agreement                                                                                                                                                                                                                                       |                                               |
| Exceeding Technician to Pharmacist or Intern to Pharmacist Ratio                                                                                                                                                                                                                        | \$0-\$250 per technician or intern over ratio |
| Violation of Code of Professional Conduct where, in the Board's judgement, the violation does not: <ul style="list-style-type: none"> <li>• Impact public safety or direct patient care, and</li> <li>• Cause the Board to expend Board resources to evaluate and/or correct</li> </ul> | \$0-\$2,000                                   |

#### **Administrative Fines for Supervising Pharmacists**

| Description                                                                                                                      | Fine                                          |
|----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| Allowing a technician to work without completing training                                                                        | \$0-\$100                                     |
| Failure to provide notice of change of Supervising Pharmacist within 10 days for incoming and/or outgoing Supervising Pharmacist | \$0-\$1,000                                   |
| Failure to maintain required records                                                                                             | \$0-\$500                                     |
| Failure to display all required licenses                                                                                         | \$0-\$500                                     |
| Exceeding Technician to Pharmacist or Intern to Pharmacist Ratio                                                                 | \$0-\$250 per technician or intern over ratio |

#### **Administrative Fines for Chain Pharmacies**

| Description                                                                                                                    | Fine                                             |
|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| Allowing a technician to work without completing training                                                                      | \$0-\$100                                        |
| Failure to Submit Action Plan Within 10 Days of Outgoing Supervising Pharmacist Departure (No Incoming Supervising Pharmacist) | \$0-\$1,000                                      |
| Failure to Identify New Supervising Pharmacist Within 90 Days of Initiating an Action Plan                                     | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750 |

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|                                                                                                                                                                                                                                                                                           | >100 days: \$750-\$1,000                                                     |
| Failure to Provide Notice of Change of Ownership Within 10 Days                                                                                                                                                                                                                           | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Unauthorized Presence Inside the Pharmacy excluding: <ol style="list-style-type: none"> <li>1. Cashiers</li> <li>2. Shadowing in compliance with Board Policy 23-006</li> <li>3. Individuals authorized under applicable statute, rule, or policy</li> </ol>                              | First violation: Warning Letter, no fine<br>Second violation: \$0-\$500      |
| Failure to Maintain Required Records                                                                                                                                                                                                                                                      | \$0-\$500                                                                    |
| Failure to display all required licenses                                                                                                                                                                                                                                                  | \$0-\$500                                                                    |
| Failure to Notify Board of Authorization to be a DEA Drug Collector                                                                                                                                                                                                                       | \$0-\$250                                                                    |
| Violation of Code of Professional Conduct where, in the Board's judgement, the violation does not: <ol style="list-style-type: none"> <li>1. Impact public safety or direct patient care, and</li> <li>2. Cause the Board to expend Board resources to evaluate and/or correct</li> </ol> | \$0-\$2,000                                                                  |

#### Administrative Fines for Independent Pharmacies

| Description                                                                                                                    | Fine                 |
|--------------------------------------------------------------------------------------------------------------------------------|----------------------|
| Allowing a technician to work without completing training                                                                      | \$0-\$100            |
| Failure to Submit Action Plan Within 10 Days of Outgoing Supervising Pharmacist Departure (No Incoming Supervising Pharmacist) | \$0-\$1,000          |
|                                                                                                                                | < 30 days: \$0-\$500 |

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| Failure to Identify New Supervising Pharmacist Within 90 Days of Initiating an Action Plan                                                                                                                                                                                                       | 30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000                         |
| Failure to Provide Notice of Change of Ownership Within 10 Days                                                                                                                                                                                                                                  | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Unauthorized Presence Inside the Pharmacy excluding:<br><br><ol style="list-style-type: none"> <li>1. Cashiers</li> <li>2. Shadowing in compliance with Board Policy 23-006</li> <li>3. Individuals authorized under applicable statute, rule, or policy</li> </ol>                              | First violation: Warning Letter, no fine<br><br>Second violation: \$0-\$500  |
| Failure to Maintain Required Records                                                                                                                                                                                                                                                             | \$0-\$500                                                                    |
| Failure to display all required licenses                                                                                                                                                                                                                                                         | \$0-\$500                                                                    |
| Failure to Notify Board of Authorization to be a DEA Drug Collector                                                                                                                                                                                                                              | \$0-\$250                                                                    |
| Violation of Code of Professional Conduct where, in the Board's judgement, the violation does not:<br><br><ol style="list-style-type: none"> <li>1. Impact public safety or direct patient care, and</li> <li>2. Cause the Board to expend Board resources to evaluate and/or correct</li> </ol> | \$0-\$2,000                                                                  |

#### **Administrative Fines for Institutional Pharmacies**

| Description                                                                                                                    | Fine        |
|--------------------------------------------------------------------------------------------------------------------------------|-------------|
| Allowing a technician to work without completing training                                                                      | \$0-\$100   |
| Failure to Submit Action Plan Within 10 Days of Outgoing Supervising Pharmacist Departure (No Incoming Supervising Pharmacist) | \$0-\$1,000 |

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| Failure to Identify New Supervising Pharmacist Within 90 Days of Initiating an Action Plan                                                                                                                                                                                                | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Provide Notice of Change of Ownership Within 10 Days                                                                                                                                                                                                                           | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Unauthorized Presence Inside the Pharmacy excluding: <ol style="list-style-type: none"> <li>1. Cashiers</li> <li>2. Shadowing in compliance with Board Policy 23-006</li> <li>3. Individuals authorized under applicable statute, rule, or policy</li> </ol>                              | First violation: Warning Letter, no fine<br>Second violation: \$0-\$500      |
| Failure to Maintain Required Records                                                                                                                                                                                                                                                      | \$0-\$500                                                                    |
| Failure to display all required licenses                                                                                                                                                                                                                                                  | \$0-\$500                                                                    |
| Failure to Notify Board of Authorization to be a DEA Drug Collector                                                                                                                                                                                                                       | \$0-\$250                                                                    |
| Violation of Code of Professional Conduct where, in the Board's judgement, the violation does not: <ol style="list-style-type: none"> <li>1. Impact public safety or direct patient care, and</li> <li>2. Cause the Board to expend Board resources to evaluate and/or correct</li> </ol> | \$0-\$2,000                                                                  |

#### Administrative Fines for Non-Resident Pharmacies

| Description                                                                                                                    | Fine                                             |
|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| Failure to Submit Action Plan Within 10 Days of Outgoing Supervising Pharmacist Departure (No Incoming Supervising Pharmacist) | \$0-\$1,000                                      |
| Failure to Identify New Supervising Pharmacist Within 90 Days of Initiating an Action Plan                                     | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750 |

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|                                                                                                                                                                                                                                                                                           | >100 days: \$750-\$1,000                                                     |
| Failure to Provide Notice of Change of Ownership Within 10 Days                                                                                                                                                                                                                           | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Unauthorized Presence Inside the Pharmacy excluding: <ol style="list-style-type: none"> <li>1. Cashiers</li> <li>2. Shadowing in compliance with Board Policy 23-006</li> <li>3. Individuals authorized under applicable statute, rule, or policy</li> </ol>                              | First violation: Warning Letter, no fine<br>Second violation: \$0-\$500      |
| Failure to Maintain Required Records                                                                                                                                                                                                                                                      | \$0-\$500                                                                    |
| Failure to display all required licenses                                                                                                                                                                                                                                                  | \$0-\$500                                                                    |
| Failure to Notify Board of Authorization to be a DEA Drug Collector                                                                                                                                                                                                                       | \$0-\$250                                                                    |
| Violation of Code of Professional Conduct where, in the Board's judgement, the violation does not: <ol style="list-style-type: none"> <li>1. Impact public safety or direct patient care, and</li> <li>2. Cause the Board to expend Board resources to evaluate and/or correct</li> </ol> | \$0-\$2,000                                                                  |

#### **Administrative Fines for Pharmacy Services Permits**

| Description                                                                                                                    | Fine                                             |
|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| Allowing a technician to work without completing training                                                                      | \$0-\$100                                        |
| Failure to Submit Action Plan Within 10 Days of Outgoing Supervising Pharmacist Departure (No Incoming Supervising Pharmacist) | \$0-\$1,000                                      |
| Failure to Identify New Supervising Pharmacist Within 90 Days of Initiating an Action Plan                                     | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750 |

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|                                                                                                                                                                                                                                                                                                  | >100 days: \$750-\$1,000                                                     |
| Failure to Provide Notice of Change of Ownership Within 10 Days                                                                                                                                                                                                                                  | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Unauthorized Presence Inside the Pharmacy excluding: <ol style="list-style-type: none"> <li>1. Cashiers</li> <li>2. Shadowing in compliance with Board Policy 23-006</li> <li>3. Individuals authorized under applicable statute, rule, or policy</li> </ol>                                     | First violation: Warning Letter, no fine<br>Second violation: \$0-\$500      |
| Failure to Maintain Required Records                                                                                                                                                                                                                                                             | \$0-\$500                                                                    |
| Failure to display all required licenses                                                                                                                                                                                                                                                         | \$0-\$500                                                                    |
| Violation of Code of Professional Conduct where the violation does not: <ol style="list-style-type: none"> <li>1. In the Board's judgement does not impact public safety or direct patient care, and</li> <li>2. Cause the Board to expend Board resources to evaluate and/or correct</li> </ol> | \$0-\$2,000                                                                  |

#### **Administrative Fines for Retail Medical Oxygen Suppliers**

| Description                                                     | Fine                                                                         |
|-----------------------------------------------------------------|------------------------------------------------------------------------------|
| Failure to Provide Notice of Change of Ownership Within 10 Days | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Maintain Required Records                            | \$0-\$500                                                                    |
| Failure to display all required licenses                        | \$0-\$500                                                                    |

#### **Administrative Fines for Medical Oxygen Manufacturers and Wholesalers**

| Description | Fine |
|-------------|------|
|-------------|------|

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|-----------------------------------------------------------------|------------------------------------------------------------------------------|
| Failure to Provide Notice of Change of Ownership Within 10 Days | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Maintain Required Records                            | \$0-\$500                                                                    |
| Failure to display all required licenses                        | \$0-\$500                                                                    |

#### **Administrative Fines for 503B Outsourcing Facilities**

| Description                                                     | Fine                                                                         |
|-----------------------------------------------------------------|------------------------------------------------------------------------------|
| Failure to Provide Notice of Change of Ownership Within 10 Days | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Maintain Required Records                            | \$0-\$500                                                                    |
| Failure to Display the License                                  | \$0-\$500                                                                    |

#### **Administrative Fines for Third Party Logistics Providers**

| Description                                                                                            | Fine                                                                         |
|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Failure to Provide Notice of Change of Ownership Within 10 Days                                        | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Provide Notice of New Designated Representative Within 10 Days                              | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to submit an action plan Within 10 Days of outgoing Designated Representative (no incoming DR) | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
|                                                                                                        | < 30 days: \$0-\$500                                                         |

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|----------------------------------------------------------------------------------------------------|------------------------------------------------------|
| Failure to Identify Incoming Designated Representative Within 90 Days of Initiating an Action Plan | 30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Maintain Required Records                                                               | \$0-\$500                                            |
| Failure to Display the License                                                                     | \$0-\$500                                            |

#### **Administrative Fines for Precursors**

| Description                                                     | Fine                                                                         |
|-----------------------------------------------------------------|------------------------------------------------------------------------------|
| Failure to Provide Notice of Change of Ownership Within 10 Days | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Maintain Required Records                            | \$0-\$500                                                                    |
| Failure to Display the License                                  | \$0-\$500                                                                    |

#### **Administrative Fines for Manufacturers**

| Description                                                                                            | Fine                                                                         |
|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Failure to Provide Notice of Change of Ownership Within 10 Days                                        | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Provide Notice of New Designated Representative Within 10 Days                              | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to submit an action plan Within 10 Days of outgoing Designated Representative (no incoming DR) | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Identify Incoming Designated Representative Within 90 Days of Initiating an Action Plan     | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750                             |

|                                      |                          |
|--------------------------------------|--------------------------|
|                                      | >100 days: \$750-\$1,000 |
| Failure to Maintain Required Records | \$0-\$500                |
| Failure to Display the License       | \$0-\$500                |

#### **Administrative Fines for Distributors**

| Description                                                                                            | Fine                                                                         |
|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Failure to Provide Notice of Change of Ownership Within 10 Days                                        | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Provide Notice of New Designated Representative Within 10 Days                              | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to submit an action plan Within 10 Days of outgoing Designated Representative (no incoming DR) | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Identify Incoming Designated Representative Within 90 Days of Initiating an Action Plan     | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Maintain Required Records                                                                   | \$0-\$500                                                                    |
| Failure to Display the License                                                                         | \$0-\$500                                                                    |

#### **Administrative Fines for ALL Other Drug Facility Permit Holders**

| Description                                                     | Fine                                                                         |
|-----------------------------------------------------------------|------------------------------------------------------------------------------|
| Failure to Provide Notice of Change of Ownership Within 10 Days | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |

|                                                                                                        |                                                                              |
|--------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Failure to Provide Notice of New Designated Representative Within 10 Days                              | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to submit an action plan Within 10 Days of outgoing Designated Representative (no incoming DR) | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Identify Incoming Designated Representative Within 90 Days of Initiating an Action Plan     | < 30 days: \$0-\$500<br>30-100 days: \$500-\$750<br>>100 days: \$750-\$1,000 |
| Failure to Maintain Required Records                                                                   | \$0-\$500                                                                    |
| Failure to Display the License                                                                         | \$0-\$500                                                                    |

**Author:** Alabama State Board of Pharmacy

**Statutory Authority:** Code of Ala. 1975, §34-23-33.

**History: New Rule:** Filed July 8, 2010; effective August 12, 2010; operative September 1, 2010. **Amended:** Filed August 26, 2011; effective September 30, 2011; operative October 3, 2011.

**Amended:** Filed July 6, 2016; effective August 20, 2016. **Amended:** Published May 28, 2021; effective July 12, 2021. **Amended:** Published October 29, 2021; effective December 13, 2021.

**Amended:** Published March 31, 2022; effective May 15, 2022.

**Amended:** Published December 31, 2024; effective February 14, 2025. **Amended:** Published February 27, 2026; effective April 13, 2026. **Amended:** Published July 31, 2026; effective September 14, 2026.