

## **REAPPLICATION AND REINSTATEMENT POLICY**

The following terms are incorporated by reference in every order of the Board, unless otherwise expressly provided in that order:

1. No individual who holds a license, registration or other privilege from the Board who has that license, registration or other privilege either (a) revoked or (b) actively suspended indefinitely or for a period longer than five years may petition for reinstatement or to have the revocation or suspended lifted until the expiration of at least five years from the effective date of the revocation or suspension.
2. No individual who has had an application for a license, registration or other privilege from the Board denied may submit another application until the expiration of at least one year from the execution of the order denying the application.
3. No permit holder who has had that permit either (a) revoked or (b) actively suspended indefinitely or for a period longer than five years may petition for reinstatement or to have the revocation or suspended lifted until the expiration of at least five years from the effective date of the revocation or suspension.
4. No proposed permit holder who has had an application for a permit denied may submit another application for a permit until the expiration of at least one year from the execution of the order denying the permit application.
5. For the purposes of subsections 3 and 4 of this policy, a permit holder or proposed permit holder will be treated as the same as a prior permit holder or proposed permit holder if any one of the following three conditions is true: (a) the permit holder or proposed permit holder has the same pharmacy manager and there is more than 10 percent common ownership as the prior permit holder or proposed permit holder; or (b) the permit holder or proposed permit holder has 50 percent or more common ownership as the prior permit holder or proposed permit holder. To determine common ownership under this policy, business entities will be considered to be identical to other business entities if there is more than a 50 percent common ownership. Furthermore, to determine common ownership under this policy, the interests of individuals will be combined with the interests of any business entities in which the individuals have more than a 10 percent interest, as well as with the interests of individuals in the same family.
6. If a petition or application is submitted that does not satisfy the time limits set forth in this policy, the Executive Director is instructed to deny the petition or application and not to schedule any hearing on the petition or application before the Board until the time limits set forth in this policy are satisfied.
7. The ability to petition for reinstatement or to submit a new application under this policy does not indicate that the Board will grant any such petition or application. A license, registration, permit or other privilege will be granted or reinstated only upon

order of the Board and only after a finding that the grant or reinstatement is appropriate under the Pharmacy Practice Act and its rules and regulations. In making that decision, the Board will consider, among other things, the gravity of the misconduct that caused the denial, suspension or revocation, the applicant's history, the applicant's current ability to practice pharmacy with reasonable skill, competence and safety to the public, and the petitioner's conduct since the order of denial, suspension or revocation.