

9/7/2022

Board of Pharmacy Negligence (and related) Statutes/Regulations

Below are excerpts from Board of Pharmacy statutes, regulations and other guidance that may provide the Board with authority to take enforcement action against a pharmacy with respect to workplace conditions for pharmacists (or other pharmacy personnel) under a negligence, unprofessional conduct, risk to public health or safety, or similar standard.

STATE	STATUTE	REGULATION	OTHER GUIDANCE	COMMENTS
Alabama	<p>Ala. Code § 34-23-33 (a) The board may revoke, suspend, place on probation, or require remediation for any licensed pharmacist... for a specified time as determined by the board <u>and</u> take the same or similar action against the permit to operate any pharmacy in this state, whenever the board finds by a preponderance of the evidence, or pursuant to a consent decree, that the pharmacist has been guilty of any of the following acts or offenses:... (6) Gross malpractice or repeated malpractice or gross negligence in the practice of pharmacy... (12) Violation of any rule or regulation of the board; (13) Violation of the code of professional conduct adopted by the board in the rules and regulations of the board.</p>	<p>Ala. Admin. Code § 680-X-2-.22 (2) Violations of any provisions of this rule shall be deemed grounds for disciplinary action whenever the Board shall find a preponderance of evidence to such violations... (f) A pharmacist <u>and</u> a pharmacy should not agree to practice under terms or conditions that interfere with or impair the proper exercise of professional judgment and skill, that cause a deterioration of the quality of professional services, or that require consent to unethical conduct.</p>	None	Enforcement based upon a pharmacist committing gross negligence or findings that conditions impair the exercise of professional judgment and skill or deteriorate the quality of services.
Alaska	<p>Alaska Stat. § 08.80.261 (a) The board may deny a license to an applicant or, after a hearing, impose a disciplinary sanction authorized under AS 08.01.075 on a person licensed under this chapter when the board finds that the applicant or licensee, as applicable,... (5) intentionally or negligently engaged in or permitted the performance of patient care by persons under the applicant's or licensee's supervision that does not conform to minimum professional standards regardless of whether actual injury to the patient occurred; (6) failed to comply with this chapter, with a regulation adopted by this chapter, or with an order of the board.</p>	<p>Alaska Admin. Code tit. 12, § 52.920 (b) The board will, in its discretion, revoke a license if the licensee... (4) intentionally or negligently engages in conduct that results in a significant risk to the health or safety of a patient or injury to a patient;"</p> <p>Alaska Admin. Code tit. 12, § 52.995 (17) A "licensee" means a person who is licensed under AS 08.80 and this chapter. A "person" includes entities as well as natural persons.</p>	None	Enforcement based upon negligent patient care or significant risk to health or safety.
Arizona	<p>Ariz. Rev. Stat. Ann. § 32-1927.02 (A) The board may discipline a permittee if: (1) The board determines that the permittee or permittee's employee is guilty of unethical conduct pursuant to § 32-1901.01, subsection A.</p> <p>(D) The board on its own motion may investigate any evidence that appears to show that a permittee or permittee's employee is or may be guilty of unethical conduct,... or is or may be in violation of this chapter or a rule adopted under this chapter.</p> <p>Ariz. Rev. Stat. Ann. § 32-1901.01 (A) In this chapter, unless the context otherwise requires, for the purposes of disciplining a permittee, "unethical conduct" means the following, whether occurring in this state or elsewhere:... (2) Committing an act that is substantially related to the qualifications, functions or duties of a permittee and that demonstrates an actual or potential unfitness to hold a permit in light of the public's safety... (24) Overruling or attempting to overrule a pharmacist in matters of pharmacy ethics or interpreting laws pertaining to the practice of pharmacy or the distribution of drugs or devices.</p>	None	None	Enforcement based upon unethical conduct (which includes risk to public safety).
Arkansas	<p>Ark. Code Ann. § 17-92-407 (Pharmacies) (c) The board shall also revoke any permit issued under this subchapter when information in possession of the board shall disclose that the operations for which the permit was issued are not being conducted according to law or are being conducted so as to endanger the public health or safety.</p> <p>Ark. Code Ann. § 17-92-311 (Pharmacists) (a) The Arkansas State Board of Pharmacy may revoke or suspend an existing certificate of licensure, license, registration, or permit or may refuse to issue a certificate of licensure, license, registration, or permit if the holder or applicant, as the case may be, has committed or is found guilty by the board of any of the following acts or offenses set forth:... (2) The person is unfit or incompetent to practice pharmacy by reason of negligent performance of his or her duties</p>	None	None	Enforcement based upon risk to public health or safety.
California	<p>Cal. Business & Professions Code § 4301 The board shall take action against any holder of a license who is guilty of unprofessional conduct or whose license has been issued by mistake. Unprofessional conduct includes, but is not limited to, any of the following:... (b) Incompetence... (c) Gross negligence.</p>	<p>Cal. Code Regs. tit. 16, § 1760 In reaching a decision on a disciplinary action under the Administrative Procedure Act the board shall consider the disciplinary guidelines entitled "Disciplinary Guidelines" (Rev. 2/2017), which are hereby incorporated by reference.</p>	<p>The California BOP has published Disciplinary Guidelines which places the actions of "gross immorality, incompetence, gross negligence, excessive furnishing of controlled substances, moral turpitude, dishonesty, or fraud" in Category II discipline territory with a recommended penalty of 3 years probation (revocation of license stayed). This guidance can be found on pages 39-40 of the guidelines available at: extension://elhekieabhbkpmcfcoobjddigjcaadp/https://www.pharmacy.ca.gov/laws_regs/1760_guidelines.pdf.</p>	Enforcement based upon unethical conduct (which includes gross negligence).
Colorado	<p>Colo. Rev. Stat. § 12-280-126 (1) The board may take disciplinary or other action as authorized in section 12-20-404, after a hearing held in accordance with the provisions of sections 12-20-403 and 12-280-127, upon proof that the licensee, certificant, or registrant... (d) Is unfit or incompetent by reason of negligence or habits, or for any other cause, to practice pharmacy or to practice as a pharmacy technician.</p>	None	None	Enforcement based upon negligence.
Connecticut	<p>Conn. Gen. Stat § 20-579 (a) The commission may . . . revoke, suspend or place conditions on a license or temporary permit to practice pharmacy, a license to operate a pharmacy, or a registration of a pharmacy intern or a pharmacy technician, and may assess a civil penalty of up to one thousand dollars per violation of any provision of this chapter or take other action permitted in subdivision (7) of section 21a-7 if the applicant or holder of the license, temporary permit or registration... (15) has performed incompetent or negligent work.</p>	None	None	Enforcement based upon negligence.

Delaware	<p>Del. Code Ann. tit. 24 § 2530 (Pharmacies) (a) The Board may suspend or revoke a permit to operate a pharmacy when examination or inspection of the pharmacy discloses that the pharmacy is not being operated according to law or is being operated in a manner which endangers public health, safety, or welfare.</p> <p>Del. Code Ann. tit. 24 § 2515 (Pharmacists) (a) A pharmacist licensed under this chapter is subject to disciplinary sanctions set forth in § 2516 of this title if, after a hearing, the Board finds that the pharmacist... (2) Has illegally, incompetently, or negligently practiced pharmacy.</p>	None	None	Enforcement based upon risk to public health or safety.
District of Columbia	<p>D.C. Code Ann. § 47-2885.10 (b) The Mayor shall forthwith suspend a license issued pursuant to this part whenever the Mayor finds that the failure of a pharmacy to comply with any provision of this part or with any District of Columbia or federal law or regulation applicable to such pharmacy is of such a serious nature and magnitude that an imminent danger to the health or safety of the public is presented. In such a case, if a hearing is requested, such request or hearing shall not serve to stay the issuance of an order suspending the license.</p>	<p>D.C. Mun. Regs. tit. 22-B, § 1927 (1) The Director shall take action to deny, suspend, or revoke a pharmacy license pursuant to § 11 of the Act, D.C. Code, 2001 Ed. § 47-2885.10</p>	None	Enforcement based upon risk to public health or safety.
Florida	<p>Fla. Stat. Ann. § 465.023 (1) The department or the board may revoke or suspend the permit of any pharmacy permittee, and may fine, place on probation, or otherwise discipline any pharmacy permittee if the permittee... (c) Violated any of the requirements of this chapter or any of the rules of the Board of Pharmacy; of chapter 499, known as the "Florida Drug and Cosmetic Act"; of 21 U.S.C. ss. 301-392, known as the "Federal Food, Drug, and Cosmetic Act"; of 21 U.S.C. ss. 821 et seq., known as the Comprehensive Drug Abuse Prevention and Control Act; or of chapter 893.</p>	None	None	Limited enforcement based upon existing pharmacy laws and regulations.
Georgia	<p>Ga. Code Ann. § 26-4-60 (a) The board of pharmacy may refuse to issue or renew, or may suspend, revoke, or restrict the licenses of, or fine any person pursuant to the procedures set forth in this Code section, upon one or more of the following grounds... (1) Engaging in any unprofessional, immoral, unethical, deceptive, or deleterious conduct or practice harmful to the public, which conduct or practice materially affects the fitness of the licensee or applicant to practice pharmacy or another business or profession licensed under this chapter, or of a nature likely to jeopardize the interest of the public, which conduct or practice need not have resulted in actual injury to any person or be directly related to the practice of pharmacy or another licensed business or profession but shows that the licensee or applicant has committed any act or omission which is indicative of bad moral character or untrustworthiness; unprofessional conduct shall also include any departure from, or the failure to conform to, the minimal reasonable standards of acceptable and prevailing practices of the business or profession licensed under this chapter.</p>	<p>Ga. Comp. R. & Regs. 480-5-.03 The Board is authorized to take disciplinary action for unprofessional conduct.</p> <p>(a) Ethics. No pharmacist, intern, extern, technician, or pharmacy owner shall engage in any conduct in the practice of pharmacy or in the operation of a pharmacy which tends to reduce the public confidence in the ability and integrity of the profession of pharmacy, or endangers the public health, safety and welfare, or have been guilty of any fraud, misrepresentation, culpable negligence, concealment, dishonest dealings, fix, scheme or device, or breach of trust in the practice of pharmacy or in the conduction of business related to prescriptions, drugs or devices.</p>	None	Enforcement based upon risk to public health or safety or unethical conduct (which includes risk to public health or safety and negligence).
Hawaii	<p>Haw. Rev. Stat. § 461-21 (a) In addition to any other actions authorized by law, the board may deny, revoke, or suspend any license or permit applied for or issued by the board, in accordance with this chapter, and fine or otherwise discipline a licensee or permit holder for any cause authorized by law, including but not limited to the following... (2) Professional misconduct, gross carelessness, or manifest incapacity... (4) Violation of any of the provisions of this chapter or the rules adopted pursuant thereto.</p>	<p>Haw. Code R. § 16-95-110 (a) In addition to any other acts or conditions provided by law, the board may revoke, suspend, refuse to renew or restore, deny, or condition a license or permit for any one or more of the following acts or omissions... (11) Professional misconduct, gross carelessness, or manifest incapacity.</p>	None	Enforcement based upon gross carelessness.
Idaho	<p>Idaho Code § 54-1726 (1) The board of pharmacy may penalize as set forth in section 54-1728, Idaho Code, a certificate of any person, pursuant to the procedures set forth in chapter 52, title 67, Idaho Code, upon one (1) or more of the following grounds: (a) Unprofessional conduct as that term is defined by the rules of the board;... (f) Being found by the board to be in violation of any of the provisions of this chapter... or rules adopted.</p> <p>Idaho Code § 54-1705 "Person" means an individual, corporation, partnership, association or any other legal entity.</p>	<p>Idaho Admin. Code r. 24.36.01.104 The following acts or practices by any licensee or registrant are declared to be specifically, but not by way of limitation, unprofessional conduct and conduct contrary to the public interest.</p> <p>(01) Unethical Conduct. Conduct in the practice of pharmacy or in the operation of a pharmacy that may reduce the public confidence in the ability and integrity of the profession of pharmacy or endangers the public health, safety, and welfare. A violation of this section includes committing fraud, misrepresentation, negligence, concealment, or being involved in dishonest dealings, price fixing, or breaching the public trust with respect to the practice of pharmacy.</p> <p>(02). Lack of Fitness. A lack of fitness for professional practice due to incompetency, personal habits, drug or alcohol dependence, physical or mental illness, or for any other cause that endangers public health, safety, or welfare.</p>	None	Enforcement based upon unprofessional conduct (which includes risk to public health or safety and negligence).
Illinois	<p>225 Ill. Comp. Stat. 85/30 (a) The Department may refuse to issue or renew, or may revoke a license, or may suspend, place on probation, fine, or take any disciplinary or non-disciplinary action as the Department may deem proper, including fines not to exceed \$10,000 for each violation, with regard to any licensee for any one or combination of the following causes... (31) Failing to provide a working environment for all pharmacy personnel that protects the health, safety, and welfare of a patient, which includes, but is not limited to, failing to: (A) employ sufficient personnel to prevent fatigue, distraction, or other conditions that interfere with a pharmacist's ability to practice with competency and safety or creates an environment that jeopardizes patient care; (B) provide appropriate opportunities for uninterrupted rest periods and meal breaks; (C) provide adequate time for a pharmacist to complete professional duties and responsibilities, including, but not limited to: (i) drug utilization review; (ii) immunization; (iii) counseling; (iv) verification of the accuracy of a prescription; and (v) all other duties and responsibilities of a pharmacist as listed in the rules of the Department.</p>	<p>Ill. Admin. Code tit. 68, § 1330.30 Unprofessional and unethical conduct by a licensee or registrant shall include, but not be limited to:... (p) Committing an act or acts that are of a flagrant and obvious nature so as to constitute conduct of such a distasteful nature that accepted codes of behavior or codes of ethics are breached.</p>	None	Enforcement based upon risk to public health or safety.
Indiana	None	<p>856 Ind. Admin. Code 1-20-1 Sec. 1. A pharmacist licensed to practice pharmacy... or a pharmacist extern or a pharmacist intern... as a part of the responsibility, to not knowingly violate the Indiana board of pharmacy's (board's) standards for the competent practice of pharmacy shall not do the following... (10) Practice pharmacy in such a manner as to amount to incompetency or negligence in the sale or dispensation of legend drugs as defined in the Indiana Legend Drug Act or controlled substance as defined in the Uniform Controlled Substances Act of 1973, under IC 35-48-1-1.</p>	None	Limited enforcement based upon pharmacist committing negligence.

Iowa	<p>Iowa Code § 155A.115 (Pharmacies) (2) The board shall refuse to issue a pharmacy license for failure to meet the requirements of section 155A.13. The board may refuse to issue or renew a license or may impose a fine, issue a reprimand, or revoke, restrict, cancel, or suspend a license, and may place a licensee on probation, if the board finds that the applicant or licensee has done any of the following:... (c) Violated any provision of this chapter or any rule adopted under this chapter or that any owner or employee of the pharmacy has violated any provision of this chapter or any rule adopted under this chapter.</p> <p>Iowa Code § 155A.12 (Pharmacists) The board may refuse to issue or renew a license or may impose a fine, issue a reprimand, or revoke, restrict, cancel, or suspend a license, and may place a licensee on probation, if the board finds that the applicant or licensee has done any of the following: (1) Violated any provision of this chapter or any rules of the board adopted under this chapter; (2) Engaged in unethical conduct as that term is defined by rules of the board.</p>	<p>Iowa Admin. Code. r. 657-36.6 The board may impose any of the disciplinary sanctions set forth in rule 657-36.7 when the board determines that the licensee has committed any of the following acts or omissions:...</p> <p>(2) Professional incompetency. Professional incompetency includes but is not limited to:... (b) A substantial deviation by a pharmacist from the standards of learning or skill ordinarily possessed and applied by other pharmacists in the state of Iowa acting in the same or similar circumstances; (c) A failure by a pharmacist to exercise in a substantial respect that degree of care which is ordinarily exercised by the average pharmacist in the state of Iowa acting under the same or similar circumstances; (d) A willful or repeated departure from, or the failure to conform to, the minimal standard or acceptable and prevailing practice of pharmacy in the state of Iowa.</p> <p>(19) Willful or gross negligence.</p>	None	Enforcement based upon gross negligence.
Kansas	<p>Kan. Stat. Ann. § 65-1627 (Pharmacies) (e) The board may deny an application or renewal, limit, condition, revoke, suspend or place in a probationary status the registration of any pharmacy upon a finding that: (1) Such pharmacy has been operated in such manner that violations of the provisions of the pharmacy act of the state of Kansas or of the rules and regulations of the board have occurred in connection therewith.</p> <p>Kan. Stat. Ann. § 65-1627 (Pharmacists) (a) The board may deny an application or renewal, limit, condition, revoke, suspend or place in a probationary status the license of any pharmacist upon a finding that:... (3) the licensee is found by the board to be guilty of unprofessional conduct or professional incompetency;"</p> <p>Kan. Stat. Ann. § 65-1626 (III) Professional incompetency is defined as: (1) One or more instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree that constitutes gross negligence, as determined by the board; (2) repeated instances involving failure to adhere to the applicable standard of pharmaceutical care to a degree that constitutes ordinary negligence, as determined by the board; or (3) a pattern of pharmacy practice or other behavior that demonstrates a manifest incapacity or incompetence to practice pharmacy.</p>	None	None	Limited enforcement based upon existing pharmacy laws and regulations.
Kentucky	<p>Ky. Rev. Stat. Ann. § 315.121 (1) The board may refuse to issue or renew a license, permit, or certificate to, or may suspend, temporarily suspend, revoke, fine, place on probation, reprimand, reasonably restrict, or take any combination of these actions against any licensee, permit holder, or certificate holder for the following reasons: (a) Unprofessional or unethical conduct.</p> <p>(2) Unprofessional or unethical conduct includes but is not limited to the following acts of a pharmacist, pharmacist intern, or pharmacy technician:... (e) Engaging in grossly negligent professional conduct, with or without established proof of actual injury;"</p>	None	None	Limited enforcement based upon pharmacist committing unethical conduct (which includes gross negligence).
Louisiana	<p>La. Stat. Ann. § 37:1241 (A) The board may, after due notice and hearing, assess a fine not to exceed the sum of five thousand dollars for each offense, refuse to license, register, certify, or permit any applicant, refuse to renew the license or permit of any person, or may revoke, summarily suspend, suspend, place on probation, reprimand, issue a warning against the person who was issued the license, registration, certificate, permit, or any other designation deemed necessary to engage in the practice of pharmacy upon proof that the person:... (3) Committed repeated occasions of negligence or incompetence in the practice or assistance in the practice of pharmacy.</p>	None	None	Enforcement based upon negligence.
Maine	<p>Me. Stat. tit. 32 § 13742-A (1) Disciplinary action. In addition to the grounds enumerated in Title 10, section 8003, subsection 5-A, paragraph A, the board may deny a license, refuse to renew a license or impose the disciplinary sanctions... for: (C) Engaging in unprofessional conduct by violating any standard of professional behavior, including but not limited to a breach of confidentiality of health care information pursuant to state law, that has been established in the practice for which the licensee is licensed.</p> <p>Me. Stat. tit. 10 § 8003 (5-A)(A) The office, board or commission may deny or refuse to renew a license, may suspend or revoke a license and may impose other discipline as authorized in this subsection for any of the following reasons:... (2) Any gross negligence, incompetence, misconduct or violation of an applicable code of ethics or standard of practice while engaged in the occupation or profession for which the person is licensed.</p>	<p>02-392-030 Me. Code R. § 1 Unprofessional conduct includes, but is not limited to, the following:... (16) Failing to address or attempt to resolve a possible prescription error or situation of potential harm to a patient which was apparent or should have been apparent to the pharmacist, whether or not actual injury to the patient or other person resulted.</p>	None	Enforcement based upon gross negligence and unprofessional conduct (which includes harm to a patient).
Maryland	<p>Md. Health Occupations Code Ann. § 12-409 (a) Subject to the hearing provisions of § 12-411 of this subtitle, the Board may suspend or revoke any pharmacy permit, if the pharmacy: (1) Is conducted so as to endanger the public health or safety; (2) Violates any of the standards specified in § 12-403 of this subtitle; or (3) Otherwise is not conducted in accordance with the law.</p>	<p>COMAR 10.34.11.06 (A) The Board may impose the following sanctions and, if appropriate, penalties for violations of the Act and its regulations according to the minimum and maximum sanctions and penalties set forth in the following categories:... (14) Standard of practice violation.</p>	None	Enforcement based upon risk to public health or safety.
Massachusetts	None	<p>247 Mass. Code Regs. 10.03 (1) The Board may impose disciplinary action against an individual or entity licensed or registered by the Board, on one or more of the grounds for discipline listed in M.G.L. c. 112, § 61 or one or more of the following grounds:... (k) Engaging in conduct that has the capacity or potential to place the public health, safety or welfare at risk... (u) Engaging in conduct which undermines public confidence in the integrity of the profession; (v) Committing an act that violates recognized standards of pharmacy practice; (w) Failing to comply with recognized ethical standards of the profession, including, but not limited to, the standards of practice of pharmacists, pharmacy interns, pharmacies and pharmacy departments set forth in 247 CMR 9.01: Code of Conduct for Registered Pharmacists, Pharmacies and Pharmacy Departments.</p>	None	Enforcement based upon risk to public health or safety.

Michigan	<p>MCLS Ch. §333.17768</p> <p>(1) The disciplinary subcommittee may fine, reprimand, or place on probation a person licensed under this part, may deny, limit, suspend, or revoke a person's license, or may order restitution or community service for a violation of this part or rules promulgated under this part.</p> <p>(2)... the board may fine, reprimand, or place on probation a person licensed under this part, may deny, limit, suspend, or revoke a license issued under this part, or may order restitution or community service if the board finds that any of the following apply to an applicant; a partner, officer, or member of the board of directors of a pharmacy, manufacturer, wholesale distributor, or wholesale distributor-broker licensed under this part; a stockholder of a pharmacy, manufacturer, wholesale distributor, or wholesale distributor-broker that is a privately held corporation licensed under this part; or a facility manager for a manufacturer, wholesale distributor, or wholesale distributor-broker...: (a) The applicant or other person described in this subsection lacks good moral character.</p>	None	None	Limited enforcement based upon existing pharmacy laws and regulations.
Minnesota	<p>Minn. Stat. Ann. § 151.071</p> <p>Subdivision 1. When the board finds that a licensee, registrant, or applicant has engaged in conduct prohibited under subdivision 2, it may do one or more of the following: (1) deny the issuance of a license or registration; (2) refuse to renew a license or registration; (3) revoke the license or registration; (4) suspend the license or registration; (5) impose limitations, conditions, or both on the license or registration...; (6) impose a civil penalty...; (7) reprimand the licensee or registrant.</p> <p>Subdivision 2. The following conduct is prohibited and is grounds for disciplinary action: (1) failure to demonstrate the qualifications or satisfy the requirements for a license or registration contained in this chapter or the rules of the board...; (9) engaging in any unethical conduct; conduct likely to deceive, defraud, or harm the public, or demonstrating a willful or careless disregard for the health, welfare, or safety of a patient; or pharmacy practice that is professionally incompetent, in that it may create unnecessary danger to any patient's life, health, or safety, in any of which cases, proof of actual injury need not be established.</p>	<p>Minn. R. 6800.2250</p> <p>Subpart 1. Unprofessional conduct shall include, but is not limited to, the following acts of a pharmacist or pharmacy... (K) Engaging in any pharmacy practice which constitutes a danger to the health, welfare, or safety of a patient or the public, including but not limited to, practicing in a manner which substantially departs from the standard of care ordinarily exercised by a pharmacist and which harms or could harm a patient.</p>	None	Enforcement based upon unethical/unprofessional conduct (which includes risk to public health or safety).
Mississippi	<p>Miss. Code Ann. § 73-21-97</p> <p>(1) The Board may refuse to issue or renew, or may suspend, reprimand, revoke or restrict the license, registration or permit of any person upon one or more of the following grounds: (a) Unprofessional conduct as defined by the rules and regulations of the Board;... (h) Negligently or willfully acting in a manner inconsistent with the health or safety of the public.</p>	<p>30 Code Miss. R. Pt. 3001, Art. IX</p> <p>(1) The Board of Pharmacy may refuse to issue or renew, or may suspend, summarily suspend, place on probation, revoke, reprimand, or restrict the permit of any permitted facility and/or impose a monetary penalty upon one or more of the following grounds:... (B) Any act by any person in the conduct of the activities of the facility which is a violation of the rules and regulations of the Board of Pharmacy.</p> <p>30 Code Miss. R. Pt. 3002, R. 2.1</p> <p>The Board may refuse to issue or renew, or may suspend, reprimand, revoke or restrict the license, registration or permit of any person upon one or more of the following grounds: (A) Unprofessional conduct. Unprofessional conduct shall include, but not be limited to:... (5) Engaging in conduct likely to deceive, defraud, or harm the public, or demonstrating a willful or careless disregard for the health, welfare, or safety of a patient, or engaging in conduct which substantially departs from the standards of care ordinarily exercised by a pharmacist, with proof of actual injury not having to be established;... (I) Negligently or willfully acting in a manner inconsistent with the health or safety of the public.</p>	None	Enforcement based upon unprofessional conduct and negligence.
Missouri	<p>Mo. Ann. Stat. § 338.285</p> <p>The board is hereby authorized and empowered... to cause a complaint to be filed before the administrative hearing commission... charging the holder of a permit to operate a pharmacy with conduct constituting grounds for discipline in accordance with section 338.055</p> <p>Mo. Ann. Stat. § 338.055</p> <p>(2) The board may cause a complaint to be filed with the administrative hearing commission... against any holder of any certificate of registration or authority, permit or license required by this chapter... for any one or any combination of the following causes:... (5) Incompetence, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter;... (13) Violation of any professional trust or confidence.</p>	None	None	Enforcement based upon gross negligence.
Montana	None	<p>Mont.Admin.R. 24.174.2301</p> <p>The board defines "unprofessional conduct" as follows: (a)Engaging in any activity which violates state and federal statutes and rules governing the practice of pharmacy;... (i)Any act performed in the practice of pharmacy which is hostile to the public health and which is knowingly committed by the holder of a license.</p>	None	Enforcement based upon unprofessional conduct (which includes risk to public health or safety).
Nebraska	<p>Neb. Rev. Stat. Ann. § 38-182 (Pharmacies)</p> <p>A credential to operate a business may be denied, refused renewal, or have disciplinary measures taken against it in accordance with section 38-196 on any of the following grounds:... (3) Conduct or practices detrimental to the health or safety of an individual served or employed by the business.</p> <p>Neb. Rev. Stat. Ann. § 38-178 (Pharmacists)</p> <p>A credential to practice a profession may be denied, refused renewal, or have other disciplinary measures taken against it in accordance with section 38-185 or 38-186 on any of the following grounds:... (6) Practice of the profession (a) fraudulently, (b) beyond its authorized scope, (c) with gross incompetence or gross negligence, or (d) in a pattern of incompetent or negligent conduct.</p>	<p>172 Neb. Admin. Code Ch. 128, 008</p> <p>Unprofessional conduct includes those acts set out in Neb. Rev. Stat. § 38-179 and this chapter.</p> <p>Neb. Rev. Stat. § 38-179</p> <p>Unprofessional conduct means any departure from or failure to conform to the standards of acceptable and prevailing practice of a profession or the ethics of the profession, regardless of whether a person, consumer, or entity is injured, or conduct that is likely to deceive or defraud the public or is detrimental to the public interest...</p>	None	Enforcement based upon risk to public health or safety.
Nevada	<p>Nev. Rev. Stat. Ann. § 639.210</p> <p>The Board may suspend or revoke any certificate, license, registration or permit issued pursuant to this chapter, and deny the application of any person for a certificate, license, registration or permit, if the holder or applicant: (1) is not of good moral character;... (4) is guilty of unprofessional conduct or conduct contrary to the public interest.</p>	<p>Nev. Admin. Code 639.945</p> <p>(1) The following acts or practices by a holder of any license, certificate or registration issued by the Board or any employee of any business holding any such license, certificate or registration are declared to be, specifically but not by way of limitation, unprofessional conduct and conduct contrary to the public interest:... (i) Performing any of his or her duties as the holder of a license, certificate or registration issued by the Board, or as the owner of a business or an entity licensed by the Board, in an incompetent, unskillful or negligent manner.</p>	None	Enforcement based upon unprofessional conduct (which includes negligence).

New Hampshire	<p>N.H. Rev. Stat. § 318:29</p> <p>(I) The board may undertake disciplinary action against any licensee, permittee, registrant, or certificate holder.</p> <p>(II) Misconduct sufficient to support disciplinary proceedings under this section shall include:... (c) Any dishonest or unprofessional conduct, or gross or repeated negligent conduct in the practice of pharmacy or in performing activities ancillary to the practice of pharmacy or any particular aspect or specialty thereof; (d) Behavior which demonstrates a clear conflict with the basic knowledge and competence expected of licensed pharmacists or any particular aspect or specialty of the practice of pharmacy, or any intentional act which demonstrates a clear inconsistency with the health and safety of persons making use of the professional services of any person licensed under this chapter.</p>	<p>N.H. Code Admin. R. Ph 308.01</p> <p>The board may revoke or suspend a permit to operate a pharmacy for grounds which include but are not limited to: (a) Misconduct as described in N.H. Rev. Stat. § 318:29, II; and (b) Violations of the provisions of N.H. Rev. Stat. § 318:29, V.</p>	None	Enforcement based upon negligence and risk to public health or safety.
New Jersey	<p>N.J. Stat. § 45:1-21</p> <p>A board may refuse to admit a person to an examination or may refuse to issue or may suspend or revoke any certificate, registration or license issued by the board upon proof that the applicant or holder of such certificate, registration or license: ... (c) Has engaged in gross negligence, gross malpractice or gross incompetence which damaged or endangered the life, health, welfare, safety or property of any person; (d) Has engaged in repeated acts of negligence, malpractice or incompetence.</p>	<p>N.J. Admin. Code § 13-39-4.18</p> <p>(b) Any permit holder may be held liable for violations of the New Jersey Pharmacy Practice Act, N.J.S.A. 45:14-40 et seq., and the rules in this chapter and may be subject to disciplinary action.</p> <p>N.J. Admin. Code § 13-39-2.5</p> <p>The Board may refuse to issue a license to any applicant who has violated any law related to the practice of pharmacy or for any of the reasons set forth in N.J.S.A. 45:1-21 et seq.</p>	None	Enforcement based upon gross negligence which causes risk to public health or safety and repeated acts of negligence.
New Mexico	<p>N.M. Stat. Ann. § 61-11-20</p> <p>Each of the following is professional misconduct, and any licensee found guilty of such misconduct under the procedures prescribed in section sixty-five hundred ten shall be subject to the penalties prescribed in section sixty-five hundred ten shall be subject to the penalties prescribed in section sixty-five hundred eleven:... (2) Practicing the profession fraudulently, beyond its authorized scope, with gross incompetence, with gross negligence on a particular occasion or negligence or incompetence on more than one occasion.</p>	<p>N.M. Admin. Code 16.19.27.3</p> <p>Section 61-11-20 NMSA 1978, Uniform Licensing Act authorizes the board of pharmacy to deny, withhold, suspend or revoke any registration or license held or applied for under the Pharmacy Act upon grounds that the licensee or applicant: (1) is guilty of gross immorality or dishonorable or unprofessional conduct as defined by regulation of the board; (17) has violated any rule or regulation adopted by the board pursuant to the Pharmacy Act.</p> <p>N.M. Admin. Code 16.19.27.7</p> <p>(B) "Dishonorable conduct by a facility (business)" shall mean but not to be limited to: (1) violation of any provision of the Pharmacy Act as determined by the board; (2) violation of the board of pharmacy regulations as determined by the board;</p>	None	Enforcement based upon gross unprofessional conduct.
New York	<p>N.Y. Educ. Law § 6509</p> <p>Each of the following is professional misconduct, and any licensee found guilty of such misconduct under the procedures prescribed in section sixty-five hundred ten shall be subject to the penalties prescribed in section sixty-five hundred ten shall be subject to the penalties prescribed in section sixty-five hundred eleven:... (2) Practicing the profession fraudulently, beyond its authorized scope, with gross incompetence, with gross negligence on a particular occasion or negligence or incompetence on more than one occasion.</p>	<p>N.Y. Comp. Codes R. & Regs. tit. 8, § 29.1</p> <p>(b) Unprofessional conduct in the practice of any profession licensed, certified or registered pursuant to title VIII of the Education Law... shall include: (1) willful or grossly negligent failure to comply with substantial provisions of Federal, State or local laws, rules or regulations governing the practice of the profession;... (5) conduct in the practice of a profession which evidences moral unfitness to practice the profession.</p>	None	Enforcement based upon gross negligence or negligence on multiple occasions.
North Carolina	<p>N.C. Gen. Stat. § 90-85.38</p> <p>(a) The Board may, in accordance with Chapter 150B of the General Statutes, issue a letter of reprimand or suspend, restrict, revoke, or refuse to grant or renew a license to practice pharmacy, or require licensees to successfully complete remedial education if the licensee has done any of the following:... (9) Been negligent in the practice of pharmacy; (10) Engaged in unprofessional conduct... when dispensing, delivering, or administering medication for patients.</p>	<p>21 N.C. Admin. Code 46.1820</p> <p>All pharmacists must comply with the American Pharmacist Association Code of Ethics, which is hereby incorporated by reference, along with all subsequent amendments or editions. A copy of the Code of Ethics is available free of charge on the Board's website at http://ncbop.org/lawandrules.htm. Any contrary conduct is unprofessional conduct under G.S. 90-85.38.</p>	None	Enforcement based upon negligence.
North Dakota	<p>N.D. Cent. Code Ann. § 43-15-40</p> <p>The board, after due notice and opportunity to be heard, may revoke any permit to establish and maintain a pharmacy, or a renewal thereof, if it is disclosed upon an examination or inspection that the pharmacy is not being operated or conducted according to the rules and regulations of the board and the laws of this state.</p>	<p>N.D. Admin. Code § 61-04-04-01</p> <p>The definition of "unprofessional conduct"... for disciplinary purposes includes, but is not limited to, the following: (1) The violating or attempting to violate, directly, indirectly, through actions of another, or assisting in or abetting the violation of, or conspiring to violate, any provision or term of North Dakota Century Code chapter 43-15, the Prescription Drug Marketing Act, the Robinson-Patman Act, or of the applicable federal and state laws and rules governing pharmacies or pharmacists.</p>	None	Limited enforcement based upon existing pharmacy laws and regulations.
Ohio	<p>Ohio Rev. Code Ann. § 4729.57</p> <p>(A) The state board of pharmacy may after notice and a hearing in accordance with Chapter 119. of the Revised Code, impose any one or more of the following sanctions on a terminal distributor of dangerous drugs for any of the causes set forth in division (B) of this section: (1) Suspend, revoke, restrict, limit, or refuse to grant or renew any license; (2) Reprimand or place the license holder on probation; (3) Impose a monetary penalty or forfeiture...</p> <p>(B) The board may impose the sanctions listed in division (A) of this section for any of the following:... (2) Violating any rule of the board; (3) Violating any provision of this chapter;... (10) Any other cause for which the board may impose discipline as set forth in rules adopted under section 4729.26 of the Revised Code.</p> <p>Ohio Rev. Code Ann. § 4729.01</p> <p>(Q) "Terminal distributor" includes pharmacies...</p>	<p>Ohio Admin. Code 4729:5-4-01</p> <p>(A) The state board of pharmacy... may impose any one or more of the following sanctions on a person licensed as a terminal distributor of dangerous drugs for any of the causes set forth in paragraph (B) of this rule: (1) Suspend, revoke, restrict, limit, or refuse to grant or renew a license; (2) Reprimand or place the license holder on probation; (3) Impose a monetary penalty or forfeiture as set forth in section 4729.57 of the Revised Code.</p> <p>(B) The board may impose the sanctions set forth in paragraph (A) of this rule for any of the following:... (2) Violating any rule of the board; (3) Violating any provision of Chapter 4729. of the Revised Code.</p>	None	Limited enforcement based upon existing pharmacy laws and regulations.
Oklahoma	None	<p>Okla. Admin. Code 535:15-3-16</p> <p>(a) Adequate staffing to safely fill prescriptions is the responsibility of the pharmacy, the pharmacy manager, and the pharmacist. If conditions exist that could cause prescriptions to be filled in an unsafe manner they shall take action to correct the problem.</p> <p>Okla. Admin. Code 535:25-9-10</p> <p>The health and safety of patients shall be a registrant's first consideration.</p>	None	Limited enforcement based upon existing pharmacy laws and regulations.

Oregon	<p>Or. Rev. Stat. Ann. § 689.405 (1) The State Board of Pharmacy may refuse to issue or renew, or may suspend, revoke or restrict the license of any person or the certificate of registration of any drug outlet upon one or more of the following grounds: (a) Unprofessional conduct as that term is defined by the rules of the board; (b) Repeated or gross negligence...</p>	<p>Or. Admin. R 855-041-1170 The State Board of Pharmacy may impose one or more of the following penalties which includes: suspend, revoke, or restrict the license of an outlet or may impose a civil penalty upon the outlet upon the following grounds: (1) Unprofessional conduct as defined in OAR 855-006-0020;... (3) Failure to provide a working environment that protects the health, safety and welfare of a patient which includes but is not limited to: (a) Sufficient personnel to prevent fatigue, distraction or other conditions that interfere with a pharmacist's ability to practice with reasonable competency and safety; ... (c) Adequate time for a pharmacist to complete professional duties and responsibilities...</p> <p>Or. Admin. R. 855-006-0020 "Unprofessional conduct" means conduct unbecoming of a licensee or detrimental to the best interests of the public, including conduct contrary to recognized standards of ethics of pharmacy or conduct that endangers the health, safety or welfare of a patient or client.</p>	None	Enforcement based upon unprofessional conduct and repeated or gross negligence.
Pennsylvania	<p>63 P.S. § 390-5 (Pharmacies) (b) The board shall have the power to refuse, revoke or suspend the permit of any pharmacy upon proof satisfactory to it that:.... (2) The holder or partner or officer thereof has violated any of the provisions of this act or regulations of the board applicable to him or any provision of "The Controlled Substance, Drug, Device and Cosmetic Act" or the Federal act, or has ordered a pharmacist in his employ to engage in any aspect of the practice of pharmacy in contravention of any provisions of the aforesaid acts or regulations thereunder.</p> <p>63 P.S. § 390-5 (Pharmacists) (a) The board shall have the power to refuse, revoke or suspend the license of any pharmacist upon proof satisfactory to it that the pharmacist:...(6) Has violated or knowingly permitted the violation of any provision of this act or regulation of the board.</p>	<p>49 Pa. Code § 27.71 Failure to comply with this chapter shall be grounds for revocation or suspension of licensure under section 5(a)(6) of the act (63 P. S. § 390-5(a)(6)).</p>	None	Limited enforcement based upon existing pharmacy laws and regulations.
Rhode Island	<p>R.I. Gen. Laws § 5-19-1.21 The board of pharmacy, with the approval of the director, may deny, suspend, revoke, or otherwise discipline the licensee upon proof that:.... (6) The licensee's conduct is incompetent or negligent, which shall include, but not be limited to, any departure from or failure to conform to the minimal standards acceptable and prevailing pharmacy practice as determined by the board;... (11) The licensee has engaged in unprofessional conduct by failing to maintain the standards of practice or by such other conduct as prescribed in regulation.</p>	<p>216 R.I. Code R. 40-15-1.16 (A) The Board, with the approval of the Director, may deny, suspend, revoke or otherwise discipline the licensee upon proof of the conduct described in R.I. Gen. Laws § 5-19-1.21.</p>	None	Enforcement based upon negligence and unprofessional conduct.
South Carolina	<p>S.C. Code Ann. § 40-43-140 (A)(1) The board may suspend, revoke, deny, or refuse to renew the permit of a permittee or impose disciplinary action authorized by this chapter for: (a) violations of any of the provisions of this chapter or any regulations promulgated pursuant to this chapter.</p> <p>S.C. Code Ann. § 40-43-86 (DD) Unprofessional conduct includes, but is not limited to, the following acts by a pharmacist, permit holder, pharmacy technician, or the owner of a permitted facility:... (5) engaging in conduct likely to deceive, defraud, or harm the public, or demonstrating a willful or careless disregard for the health, welfare, or safety of a patient, or engaging in conduct which substantially departs from the standards of care ordinarily exercised by a pharmacist;</p>	None	<p>South Carolina Board of Pharmacy issued a "Working Conditions in Pharmacies" Position Statement. The Position Statement explains its purpose is "to ensure compliance with the South Carolina Pharmacy Practice Act relating to operational standards, specifically S.C. Code Ann. 40-43-86(B)(4) which relates to adequate staffing of licensed personnel in pharmacies," but it does not discuss enforcement.</p> <p>available at: https://lir.sc.gov/bop/pforms/WorkingConditions.pdf</p>	Enforcement based upon unprofessional conduct (which includes risk to public health or safety).
South Dakota	<p>S.D. Codified Laws § 36-11-48 The State Board of Pharmacy may suspend or revoke any permit obtained by false representations made in the application therefor, or when the pharmacy for which the permit shall be issued is kept open for the transaction of business without a registered pharmacist in charge thereof, or upon conviction of a violation of any law of this state or of the United States pertaining to the drug business or for the aiding or abetting in the violation of any such law.</p>	None	None	Limited enforcement based upon existing pharmacy laws and regulations.
Tennessee	<p>Tenn. Code Ann. § 63-10-305 The board is authorized to deny, restrict or condition any application for licensure or certification and is authorized to revoke or suspend any license or certification previously issued or otherwise discipline and assess civil penalties against a applicant, licensee or holder of a certificate upon a finding that the applicant, licensee or holder of a certificate has:... (5) Exhibited an incapacity of a nature that prevents a pharmacist from engaging in the practice of pharmacy with reasonable skill, confidence and safety to the public; (6) Been guilty of dishonorable, immoral, unethical or unprofessional conduct.</p>	<p>Tenn. Comp. R. & Regs. 1140-01-02 Any person who violates any rule of the board may be deemed guilty of dishonorable, immoral, unethical or unprofessional conduct within the meaning of T.C.A. § 63-10-305(6).</p>	None	Enforcement based upon unprofessional conduct.
Texas	<p>Tex. Occ. Code Ann. § 565.002 (Pharmacies) (a) The board may discipline an applicant for or the holder of a pharmacy license, including a Class E pharmacy license subject to Section 565.003, if the board finds that the applicant or license holder has:.... (3) violated any provision of this subtitle or any rule adopted under this subtitle or that an owner or employee of a pharmacy has violated any provision of this subtitle or any rule adopted under this subtitle.</p> <p>Tex. Occ. Code Ann. § 565.001 (Pharmacist) (a) The board may discipline an applicant for or the holder of a current or expired license to practice pharmacy if the board finds that the applicant or license holder has:... (12) violated any pharmacy or drug statute or rule of this state, another state, or the United States; (13) been negligent in the practice of pharmacy.</p>	<p>22 Tex. Admin. Code § 281.8 (b) For the purposes of §565.002(a)(3) of the Act, it is grounds for discipline for a pharmacy license when... (5) the owner or managing officer has previously been disciplined by the board.</p>	<p>Texas Board of Pharmacy issued a "Position Statement Regarding Working Conditions and Communication in Pharmacies" in 2003. The Position Statement encourages employers to provide reasonable breaks and avoid creating work environments that increase stress on dispensing pharmacists. It does not discuss any enforcement against employers that maintain inadequate working conditions.</p> <p>available at: https://www.pharmacy.texas.gov/files_pdf/Working%20Conditions.pdf</p>	Limited enforcement based upon existing pharmacy laws and regulations.
Utah	<p>Utah Code Ann. § 58-17b-501 "Unlawful conduct" includes:... (8) requiring an employed pharmacist, pharmacy intern, pharmacy technician, or authorized supportive personnel to engage in conduct in violation of this chapter.</p>	<p>Utah Admin. Code r. R156-17b-502 "Unprofessional conduct" includes:... (23) requiring a pharmacy, pharmacist, or DMP to operate the pharmacy or allow operation of the pharmacy with a ratio of supervising pharmacist or DMP to other pharmacy personnel in circumstances that result in, or reasonably would be expected to result in, an unreasonable risk of harm to public health, safety, and welfare.</p>	None	Limited enforcement based upon existing pharmacy laws and regulations.

Vermont	<p>Vt. Stat. Ann. tit. 26, § 2053 (a) It shall be unprofessional conduct for a licensee to: (1) introduce or enforce policies and procedures related to the provision of pharmacy services in a manner that results in deviation from safe practice; (2) unreasonably prevent or restrict a patient's timely access to patient records or essential pharmacy services; (3) fail to identify and resolve conditions that interfere with a pharmacist's ability to practice with competency and safety or create an environment that jeopardizes patient care, including by failing to provide mandated rest periods.</p> <p>Vt. Stat. Ann. tit. 3, § 129a (b) Failure to practice competently by reason of any cause on a single occasion or on multiple occasions may constitute unprofessional conduct, whether actual injury to a client, patient, or customer has occurred. Failure to practice competently includes: (1) performance of unsafe or unacceptable patient or client care; or (2) failure to conform to the essential standards of acceptable and prevailing practice.</p>	<p>Vt. Admin. Code 20-4-1400:1.11 The Board may discipline or deny licensure, registration, or renewal under these rules if any applicant, sole proprietor, partner, corporate officer, or owner has engaged in unprofessional conduct violating these rules, 3 V.S.A. § 129a, and 26 V.S.A. § 2051, or acts which directly affect the ability to practice pharmacy.</p> <p>Vt. Admin. Code 20-4-1400:20.1 The Board may take disciplinary action against a licensee, former licensee, or applicant for any of the grounds of unprofessional conduct set forth in 26 V.S.A. § 2051 or in 3 V.S.A. § 129a. 3 V.S.A. § 129a(a)(3) includes within the definition of unprofessional conduct, "(3) [f]ailing to comply with provisions of federal or state statutes or rules governing the practice of the profession."</p>	None	Enforcement based upon unprofessional conduct (which includes deviations from safe practice).
Virginia	<p>Va. Code § 54.1-3316 The Board may refuse to admit an applicant to any examination; refuse to issue a license, permit, certificate, or registration to any applicant; or reprimand, impose a monetary penalty, place on probation, impose such terms as it may designate, suspend for a stated period of time or indefinitely, or revoke any license, permit, certificate, or registration if it finds that an applicant or a person holding a license, permit, certificate, or registration: (1) Has been negligent in the practice of pharmacy or in any activity requiring a license, permit, certificate, or registration from the Board;... (13) Has conducted his practice, or activity requiring a license, permit, certificate, or registration from the Board in such a manner as to be a danger to the health and welfare of the public.</p>	None	<p>Virginia Board of Pharmacy issued a Pharmacy Working Conditions guidance which became effective May 12, 2022. The guidance states that pharmacy permit holders must ensure they "are providing a working environment for all pharmacy personnel that protects the health, safety, and welfare of patients."</p> <p>Available here: https://www.dhp.virginia.gov/pharmacy/pharmacy_guidelines.htm</p>	Enforcement based upon negligence.
Washington	<p>Wash. Rev. Code Ann. § 18.130.180 The following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:... (4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed.</p>	None	None	Enforcement based upon unprofessional conduct (which includes negligence which creates risk to public health or safety).
West Virginia	<p>W. Va. Code Ann. § 30-5-31 (g) The board may, after notice and opportunity for hearing, deny or refuse to renew, suspend, restrict or revoke the license, registration or permit of, or impose probationary conditions upon or take disciplinary action against, any licensee, registrant or permittee for any of the following reasons:... (3) Being guilty of unprofessional conduct which placed the public at risk, as defined by legislative rule of the board;... (7) Engaging in an act while acting in a professional capacity which has endangered or is likely to endanger the health, welfare or safety of the public</p>	<p>W. Va. Code St. R. § 15-1-15 15.2.1. No person practicing pharmacist care shall engage in conduct, in the practice of pharmacy or the operation of a pharmacy, which tends to reduce the public confidence in the ability and integrity of the profession of pharmacy, or endangers the public health, safety and welfare; nor shall he or she interfere in the provision of pharmacist care or offer pharmaceutical services under any terms or conditions which tend to impair the free and complete exercise of the professional skill and judgment of another pharmacist. A person practicing pharmacist care shall at all times practice his or her profession in conformity with federal and state laws and regulations and the rules of this Board.</p> <p>W. Va. Code R. 15-1-15 15.14.2. The violation of the provisions of this section by a licensed pharmacist, pharmacy intern, pharmacy technician, or person with a permit to operate a pharmacy shall result in disciplinary action.</p>	None	Enforcement based upon unprofessional conduct or risk to public health or safety.
Wisconsin	<p>Wis. Stat. Ann. § 450.10 (b) Subject to subch. II of ch. 111 and the rules adopted under s. 440.03(1), the board may reprimand the licensee or registrant or deny, revoke, suspend, or limit the license or registration or any combination thereof of any person licensed under this chapter who has: (1) Engaged in unprofessional conduct....</p>	<p>Wis. Admin. Code § 10.03 The following, without limitation because of enumeration, are violations of standards of professional conduct and constitute unprofessional conduct in addition to those grounds specified under s. 450.10 (1), Stats.:... (2) Engaging in any pharmacy practice which constitutes a danger to the health, welfare, or safety of patient or public, including but not limited to, practicing in a manner which substantially departs from the standard of care ordinarily exercised by a pharmacist which harmed or could have harmed a patient.</p>	None	Enforcement based upon unprofessional conduct (which includes risk to public health or safety).
Wyoming	<p>Wyo. Stat. Ann. § 33-24-113 (d) The board may deny, suspend, revoke or refuse to renew a license issued under this section, may issue a letter of admonition to a resident pharmacy licensee and may assess an administrative penalty, not to exceed two thousand dollars (\$2,000.00) per violation, against a resident pharmacy licensee on any of the following grounds: (i) Failure to comply with any requirement of this chapter or the Wyoming Controlled Substances Act; (ii) Failure to comply with rules and regulations of the board.</p>	<p>Wyo. Admin. Code 059.0002.3 § 20 (a) The Board may suspend any registration simultaneously with or at any time subsequent to the service upon the registrant of an order to show cause why such registration should not be revoked or suspended, in any case where it finds that there is an imminent danger to the public health or safety. If the Board so suspends, it shall serve, together with the order to show cause pursuant to this chapter an order of immediate suspension which shall contain a statement of his findings regarding the danger to public health or safety.</p>	None	Limited enforcement based upon existing pharmacy laws and regulations.

9/7/2022

Board of Pharmacy Retaliation Statutes/Regulations

Below are excerpts from state statutes and regulations that may provide the Board of Pharmacy with authority to enforce anti-retaliation prohibitions against a pharmacy with respect to a pharmacist (or other pharmacy staff member) reporting pharmacy violations or concerns to the Board.

STATE	STATUTE	REGULATION	OTHER GUIDANCE	COMMENTS
Alabama	None	None	None	None
Alaska	None	None	None	None
Arizona	None	None	None	None
Arkansas	None	None	None	None
California	None	Cal. Code Regs. tit. 16, § 1709.1(a, b, d) The pharmacist-in-charge of a pharmacy shall be employed at that location and shall have responsibility for the daily operation of the pharmacy. The pharmacy owner shall vest the pharmacist-in-charge with adequate authority to assure compliance with the laws governing the operation of a pharmacy... A person employing a pharmacist may not discharge, discipline, or otherwise discriminate against any pharmacist in the terms and conditions of employment for exercising or attempting to exercise in good faith the right established pursuant to this section.	Cal. Lab. Code § 1102.5(b-c). An employer, or any person acting on behalf of the employer, shall not retaliate against an employee for disclosing information, or because the employer believes that the employee disclosed or may disclose information, to a government or law enforcement agency, to a person with authority over the employee or another employee who has the authority to investigate, discover, or correct the violation or noncompliance, or for providing information to, or testifying before, any public body conducting an investigation, hearing, or inquiry, if the employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation of or noncompliance with a local, state, or federal rule or regulation, regardless of whether disclosing the information is part of the employee's job duties. (c) An employer, or any person acting on behalf of the employer, shall not retaliate against an employee for refusing to participate in an activity that would result in a violation of state or federal statute, or a violation of or noncompliance with a local, state, or federal rule or regulation.	Enforcement based on retaliation against the pharmacist-in-charge.
Colorado	None	None	Colo. Rev. Stat. Ann. § 8-14.4-102(1). Worker rights during a Public health emergency. A principal shall not discriminate, take adverse action, or retaliate against any worker based on the worker, in good faith, raising any reasonable concern about workplace violations of government health or safety rules, or about an otherwise significant workplace threat to health or safety, to the principal, the principal's agent, other workers, a government agency, or the public if the principal controls the workplace conditions giving rise to the threat or violation.	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Connecticut	None	None	Conn. Gen. Stat. Ann. § 31-51m(b). No employer shall discharge, discipline or otherwise penalize any employee because (1) the employee, or a person acting on behalf of the employee, reports, verbally or in writing, a violation or a suspected violation of any state or federal law or regulation or any municipal ordinance or regulation to a public body, (2) the employee is requested by a public body to participate in an investigation, hearing or inquiry held by that public body, or a court action, or (3) the employee reports a suspected incident of child abuse or neglect pursuant to sections 17a-101a to 17a-101d, inclusive, or 17a-103. No municipal employer shall discharge, discipline or otherwise penalize any employee because the employee, or a person acting on behalf of the employee, reports, verbally or in writing, to a public body concerning the unethical practices, mismanagement or abuse of authority by such employer. The provisions of this subsection shall not be applicable when the employee knows that such report is false.	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Delaware	None	None	Del. Code Ann. tit. 19, § 1703(1). An employer shall not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment: Because the employee, or a person acting on behalf of the employee, reports or is about to report to a public body, verbally or in writing, a violation which the employee knows or reasonably believes has occurred or is about to occur, unless the employee knows or has reason to know that the report is false.	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
District of Columbia	None	None	None	None
Florida	None	None	Fla. Stat. Ann. § 448.102(1). An employer may not take any retaliatory personnel action against an employee because the employee has: Disclosed, or threatened to disclose, to any appropriate governmental agency, under oath, in writing, an activity, policy, or practice of the employer that is in violation of a law, rule, or regulation. However, this subsection does not apply unless the employee has, in writing, brought the activity, policy, or practice to the attention of a supervisor or the employer and has afforded the employer a reasonable opportunity to correct the activity, policy, or practice.	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Georgia	Ga. Code Ann. § 26-4-60(m). A person, firm, corporation, association, authority, or other entity shall be immune from civil and criminal liability for reporting or investigating the acts or omissions of a licensee or applicant which violate the provisions of subsection (a) of this Code section or any other provision of law relating to a licensee's or applicant's fitness to practice a business or profession licensed under this chapter, or for initiating or conducting proceedings against such licensee or applicant, if such report is made or action is taken in good faith, without fraud or malice. Any person who testifies or who makes a recommendation to the board in the nature of peer review, in good faith, without fraud or malice, before the board in any proceeding involving the provisions of subsection (a) of this Code section or any other law relating to a licensee's or applicant's fitness to practice the business or profession licensed by the board shall be immune from civil and criminal liability for so testifying.	None	None	Provides immunity from civil and criminal liability for good faith reporting.
Hawaii	None	None	Haw. Rev. Stat. Ann. § 378-62(1). An employer shall not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because: (1) The employee, or a person acting on behalf of the employee, reports or is about to report to the employer, or reports or is about to report to a public body, verbally or in writing, a violation or a suspected violation of: (A) A law, rule, ordinance, or regulation, adopted pursuant to law of this State, a political subdivision of this State, or the United States; or (B) A contract executed by the State, a political subdivision of the State, or the United States, unless the employee knows that the report is false.	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Idaho	None	None	None	None

Illinois	<p>225 Ill. Comp. Stat. 85/30(h) An individual or organization acting in good faith, and not in a willful and wanton manner, in complying with this Section by providing a report or other information to the Board, by assisting in the investigation or preparation of a report or information, by participating in proceedings of the Board, or by serving as a member of the Board shall not, as a result of such actions, be subject to criminal prosecution or civil damages. Any person who reports a violation of this Section to the Department is protected under subsection (b) of Section 15 of the Whistleblower Act.</p> <p>740 Ill. Comp. Stat. 174 / 15(b). An employer may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of a State or federal law, rule, or regulation.</p>	None	None	Enforcement by Board of Pharmacy is based upon violation of whistleblower statute.
Indiana	None	None	<p>Ind. Code Ann. § 22-5-3-3, Sec. 3(a). An employee of a private employer that is under public contract may report in writing the existence of: (1) a violation of a federal law or regulation; (2) a violation of a state law or rule. . .(b) For having made a report under subsection (a), an employee may not: (1) be dismissed from employment; (2) have salary increases or employment related benefits withheld; (3) be transferred or reassigned; (4) be denied a promotion that the employee otherwise would have received; or (5) be demoted.</p>	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Iowa	None	<p>Iowa Admin. Code r. 657-36.6 The board may impose any of the disciplinary sanctions set forth in rule 657-36.7(147,155A,272C) when the board determines that the licensee has committed any of the following acts or omissions: ...(27) Retaliating against a pharmacist, pharmacist-intern, pharmacy technician, or pharmacy support person for making allegations of illegal or unethical activities, making required reports to the board, or cooperating with a board investigation or survey.</p>	None	Enforcement is based upon retaliation against a pharmacist, or pharmacy staff.
Kansas	<p>Kan. Stat. Ann. § 65-1652(a). No person reporting to the board of pharmacy under oath and in good faith any information such person may have relating to alleged incidents of malpractice or the qualifications, fitness or character of a pharmacist shall be subject to a civil action for damages as a result of reporting such information.</p>	None	None	Provides immunity from civil liability for good faith reporting.
Kentucky	None	None	None	None
Louisiana	None	None	<p>La. Stat. Ann. § 23:967(A). An employer shall not take reprisal against an employee who in good faith, and after advising the employer of the violation of law: (1) Discloses or threatens to disclose a workplace act or practice that is in violation of state law.</p>	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Maine	None	None	<p>Me. Rev. Stat. tit. 26, § 833(1)(A). Discrimination prohibited. No employer may discharge, threaten or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location or privileges of employment because: The employee, acting in good faith, or a person acting on behalf of the employee, reports orally or in writing to the employer or a public body what the employee has reasonable cause to believe is a violation of a law or rule adopted under the laws of this State, a political subdivision of this State or the United States.</p>	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Maryland	None	<p>Md. Code Ann., Health Occ. § 12-207. A person shall have the immunity from liability described under § 5-713 of the Courts and Judicial Proceedings Article for giving information to the Board or otherwise participating in its activities.</p> <p>Md. Code Ann., Cts. & Jud. Proc. § 5-713(a). In this section, "Board" means the State Board of Pharmacy... A person who acts in good faith and within the scope of the jurisdiction of the Board is not civilly liable for giving information to the Board or otherwise participating in its activities.</p>	None	Provides immunity from civil liability for good faith reporting.
Massachusetts	None	None	<p>Mass. Gen. Laws Ann. ch. 149, § 187(b)(1). A health care facility (including pharmacies) shall not refuse to hire, terminate a contractual agreement with or take any retaliatory action against a health care provider [including pharmacists] because the health care provider does any of the following: discloses or threatens to disclose to a manager or to a public body an activity, policy or practice of the health care facility or of another health care facility with whom the health care provider's health care facility has a business relationship, that the health care provider reasonably believes is in violation of a law or rule or regulation promulgated pursuant to law or violation of professional standards of practice which the health care provider reasonably believes poses a risk to public health.</p>	Enforcement based upon state labor statutes. Board of Pharmacy does not have enforcement authority.
Michigan	None	None	<p>Mich. Comp. Laws Ann. § 15.362, Sec. 2. An employer shall not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because the employee, or a person acting on behalf of the employee, reports or is about to report, verbally or in writing, a violation or a suspected violation of a law or regulation or rule promulgated pursuant to law of this state, a political subdivision of this state, or the United States to a public body, unless the employee knows that the report is false, or because an employee is requested by a public body to participate in an investigation, hearing, or inquiry held by that public body, or a court action.</p>	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Minnesota	<p>MN Stat, 151.072 Subd. 1, 3. Subd. 1. Permission to report. A person who has knowledge of any conduct constituting grounds for discipline under the provisions of this chapter or the rules of the board may report the violation to the board. Subd. 3. Licensees and registrants of the board. A licensee or registrant of the board shall report to the board personal knowledge of any conduct that the person reasonably believes constitutes grounds for disciplinary action under this chapter or the rules of the board by any pharmacist, pharmacist intern, pharmacy technician, or controlled substance researcher, any conduct indicating that the person may be professionally incompetent, or may have engaged in unprofessional conduct or may be medically or physically unable to engage safely in the practice of pharmacy or to carry out the duties permitted to the person by this chapter or the rules of the board. Failure to report violations as required by this subdivision is a basis for discipline pursuant to section 151.071, subdivision 2, clause (20).</p>	None	<p>Minn. Stat. Ann. § 181.932, Subdivision 1(1). Prohibited action. An employer shall not discharge, discipline, threaten, otherwise discriminate against, or penalize an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because: the employee, or a person acting on behalf of an employee, in good faith, reports a violation, suspected violation, or planned violation of any federal or state law or common law or rule adopted pursuant to law to an employer or to any governmental body or law enforcement official;</p>	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Mississippi	None	<p>Miss. Admin. Code 30-20-3001(1)(P). The Board of Pharmacy may refuse to issue or renew, or may suspend, summarily suspend, place on probation, revoke, reprimand, or restrict the permit of any permitted facility and/or impose a monetary penalty upon one or more of the following grounds: ... (P) Retaliation against pharmacy employees for providing information to the Board.</p>	None	Enforcement is based upon retaliation against a pharmacist, or pharmacy staff.

Missouri	Mo. Ann. Stat. § 338.155. Any person who in good faith and without malice reports, provides information, or cooperates in any manner with the board, or assists the board in any manner including, but not limited to, any applicant or licensee, whether or not the applicant or licensee is the subject of an investigation, record custodians, consultants, attorneys, board members, agents, employees, staff or expert witnesses, in the course of any investigation, hearing or other proceeding conducted by or before the board pursuant to the provisions of this chapter shall not be subject to an action for civil damages as a result of providing such information and cooperating with the board.	None	Mo. Ann. Stat. § 285.575(4). It shall be an unlawful employment practice for an employer to discharge an individual defined as a protected person in this section because of that person's status as a protected person. Mo. Ann. Stat. § 285.575(2)(4). Protected person can include an employee of an employer who has reported to the proper authorities an unlawful act of his or her employer	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Montana	None	None	Mont. Code Ann. § 39-2-904(1) (a). A discharge is wrongful only if: it was in retaliation for the employee's refusal to violate public policy or for reporting a violation of public policy. Mont. Code Ann. § 39-2-903(8). "Public policy" means a policy in effect at the time of the discharge concerning the public health, safety, or welfare established by constitutional provision, statute, or administrative rule.	Enforcement based upon state labor statutes. Board of Pharmacy does not have enforcement authority.
Nebraska	Neb.Rev.Stat. § 38-182 (5). A credential to operate a business may be denied, refused renewal, or have disciplinary measures taken against it in accordance with section 38-196 on any of the following grounds... (5) Discrimination or retaliation against an individual served or employed by the business who has submitted a complaint or information to the department or is perceived to have submitted a complaint or information to the department.	None	Neb. Rev. Stat. Ann. § 48-1114(1). It shall be an unlawful employment practice for an employer to discriminate against any of his or her employees or applicants for employment, for an employment agency to discriminate against any individual, or for a labor organization to discriminate against any member thereof or applicant for membership, because he or she (a) has opposed any practice made an unlawful employment practice by the Nebraska Fair Employment Practice Act, (b) has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the act.	Enforcement is based upon retaliation against a pharmacist, or pharmacy staff.
Nevada	None	None	None	None
New Hampshire	N.H. Rev. Stat. Ann. § 318:29-c. No civil action shall be maintained against any organization or its members or against any other person for or by reason of any good faith statement, report, communication, or testimony to the board or determination by the board in relation to proceedings under this chapter.	None	N.H. Rev. Stat. Ann. § 275-E:2(I)(a). No employer shall harass, abuse, intimidate, discharge, threaten, or otherwise discriminate against any employee regarding compensation, terms, conditions, location, or privileges of employment because: The employee, in good faith, reports or causes to be reported, verbally or in writing, what the employee has reasonable cause to believe is a violation of any law or rule adopted under the laws of this state, a political subdivision of this state, or the United States.	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
New Jersey	None	None	N.J. Stat. Ann. § 34:19-3(a). An employer shall not take any retaliatory action against an employee because the employee does any of the following: a. Discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer, or another employer, with whom there is a business relationship, that the employee reasonably believes is in violation of a law, or a rule or regulation promulgated pursuant to law, including any violation involving deception of, or misrepresentation to, any shareholder, investor, client, patient, customer, employee, former employee, retiree or pensioner of the employer or any governmental entity, or, in the case of an employee who is a licensed or certified health care professional, reasonably believes constitutes improper quality of patient care.	Enforcement based upon state labor statutes. Board of Pharmacy does not have enforcement authority.
New Mexico	None	None	None	None
New York	None	None	N.Y. Lab. Law § 740(2)(a). Prohibitions. An employer shall not take any retaliatory action against an employee, whether or not within the scope of the employee's job duties, because such employee does any of the following: (a) discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer that the employee reasonably believes is in violation of law, rule or regulation or that the employee reasonably believes poses a substantial and specific danger to the public health or safety.	Enforcement based upon state labor statutes. Board of Pharmacy does not have enforcement authority.
North Carolina	None	None	None	None
North Dakota	N.D. Cent. Code Ann. § 43-15-42.3. A pharmacist, pharmacy technician, or institution from which the pharmacist or pharmacy technician voluntarily resigns, or voluntarily limits that individual's staff privileges, shall report the actions of the licensee or registrant to the state board of pharmacy if that action occurs while the licensee or registrant is under formal or informal investigation by the institution or a committee of the institution for any reason related to possible professional incompetence, unprofessional conduct, or mental or physical impairment... A person required to report under this section who makes a report in good faith is not subject to criminal prosecution or civil liability for making the report. For purposes of any civil proceeding, the good faith of a person who makes the report under this section is presumed.	None	N.D. Cent. Code Ann. § 34-01-20 (1)(a). An employer may not discharge, discipline, threaten discrimination, or penalize an employee regarding the employee's compensation, conditions, location, or privileges of employment because: The employee, or a person acting on behalf of an employee, in good faith, reports a violation or suspected violation of federal, state, or local law, ordinance, regulation, or rule to an employer, a governmental body, or a law enforcement official.	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Ohio	Ohio Rev. Code Ann. § 4729.10. The state board of pharmacy may adopt rules under section 4729.26 of the Revised Code requiring a licensee or registrant under this chapter to report to the board a violation of state or federal law, including any rule adopted under this chapter. In the absence of fraud or bad faith, a person who reports under this section or testifies in any adjudication conducted under Chapter 119. of the Revised Code is not liable to any person for damages in a civil action as a result of the report or testimony.	Ohio Admin. Code 4729-5-4-01(B)(25). The board may impose the sanctions set forth in paragraph (A) of this rule for any of the following: ... (25) Retaliating against or disciplining an employee for filing a complaint with a board of pharmacy or other licensing body or reporting a violation of state or federal statute or any ordinance or regulation of a political subdivision that the employee's employer has authority to correct. As used in this rule, retaliation or discipline of an employee includes, but is not limited to, the following: (a) Removing or suspending the employee from employment; (b) Withholding from the employee salary increases or employee benefits to which the employee is otherwise entitled; (c) Transferring or reassigning the employee; (d) Denying the employee a promotion that otherwise would have been received; (e) Reducing the employee in pay or position.	None	Board of Pharmacy has enforcement authority for retaliation against pharmacy staff member
Oklahoma	None	Okla. Admin. Code 535-15-3-16(g) A registrant, including a pharmacy, a pharmacy manager, or a pharmacist, shall not be subject to discipline by the employing pharmacy for completing a staffing report in good faith.	None	Board of Pharmacy has enforcement authority for retaliation against pharmacist
Oregon	Or. Rev. Stat. Ann. § 689.455 (1-2). (1) Unless state or federal laws relating to confidentiality or the protection of health information prohibit disclosure, a pharmacist or pharmacy technician shall report: (a) Any suspected violations of this chapter or of ORS 475.005 to 475.285 and 475.752 to 475.980 to the State Board of Pharmacy; and (b) Any prohibited conduct as defined in ORS 676.150 in the manner provided in ORS 676.150. (2) Any pharmacist or pharmacy technician who reports to the board as required by subsection (1) of this section in good faith shall not be subject to an action for civil damages as a result thereof.	Or. Admin. R. 855-019-0205(5). A pharmacist who reports to a board in good faith as required by section (4) of this rule is immune from civil liability for making the report.	Or. Rev. Stat. Ann. § 659A.199(1). It is an unlawful employment practice for an employer to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regard to promotion, compensation or other terms, conditions or privileges of employment for the reason that the employee has in good faith reported information that the employee believes is evidence of a violation of a state or federal law, rule or regulation.	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Pennsylvania	None	None	None	None

Rhode Island	None	None	28 R.I. Gen. Laws Ann. § 28-50-3(1). An employer shall not discharge, threaten, or otherwise discriminate against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment nor shall an employer report or threaten to report an employee's immigration status to Immigration and Customs Enforcement (ICE) or any other immigration agency or law enforcement agency including local and state police: Because the employee, or a person acting on behalf of the employee, reports or is about to report to a public body, verbally or in writing, a violation that the employee knows or reasonably believes has occurred or is about to occur, of a law or regulation or rule promulgated under the law of this state, a political subdivision of this state, or the United States, unless the employee knows or has reason to know that the report is false.	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
South Carolina	None	None	None	None
South Dakota	None	None	None	None
Tennessee	Tenn. Code Ann. § 63-10-402. All national, state or local public or private organizations, institutions, foundations, systems, provider networks or professional associations or societies, pharmacists, auxiliary pharmacy personnel, pharmacy committee staff personnel, any person under a contract or other formal agreement with a peer review committee and any person who participates with or assists a peer review committee, members of boards of directors or trustees of any public or private hospital, managed care organization or other health care provider or any individual appointed to any peer review committee is immune from liability to any patient, individual or organization for furnishing information, data, reports or records to any such committee or for damages resulting from any decision, opinions, actions and proceedings rendered, entered or acted upon by such committees, if made or taken in good faith without malice and on the basis of facts reasonably known or reasonably believed to exist.	None	None	Provides immunity from liability for good faith reporting.
Texas	None	None	None	None
Utah	Utah Code Ann. § 58-13-5(6)(a). Any person or organization furnishing information in accordance with this section in response to the request of the division or a board, or voluntarily, is immune from liability with respect to information provided in good faith and without malice, which good faith and lack of malice is presumed to exist absent clear and convincing evidence to the contrary.	None	None	Provides immunity from liability for good faith reporting.
Vermont	None	None	None	None
Virginia	Va. Code Ann. § 54.1-2400.8. In addition to the immunity for reporting as provided by §§ 54.1-2400.6 and 54.1-2400.7, any person (i) making a report regarding the conduct or competency of a health care practitioner as required by law or regulation, (ii) making a voluntary report to the appropriate regulatory board or to the Department of Health Professions regarding the unprofessional conduct or competency of any practitioner licensed, certified, or registered by a health regulatory board, or (iii) providing information pursuant to an investigation or testifying in a judicial or administrative proceeding as a result of such reports shall be immune from any civil liability resulting therefrom unless such person acted in bad faith or with malicious intent.	None	Va. Code Ann. § 40.1-27.3 (A)(1). An employer shall not discharge, discipline, threaten, discriminate against, or penalize an employee, or take other retaliatory action regarding an employee's compensation, terms, conditions, location, or privileges of employment, because the employee: 1. Or a person acting on behalf of the employee in good faith reports a violation of any federal or state law or regulation to a supervisor or to any governmental body or law-enforcement official;	Enforcement based upon whistleblower statute. Board of Pharmacy does not have enforcement authority.
Washington	Wash. Rev. Code Ann. § 18.130.070 (3) A person is immune from civil liability, whether direct or derivative, for providing information to the disciplining authority pursuant to the rules adopted under subsection (1) of this section.	None	None	Provides immunity from civil liability for good faith reporting.
West Virginia	W. Va. Code Ann. § 30-5-31(k) A person authorized to practice under this article [pharmacists, pharmacy technicians, pharmacy interns, and pharmacies], who reports or otherwise provides evidence of the negligence, impairment or incompetence of another member of this profession to the board or to any peer review organization, is not liable to any person for making such a report if such report is made without actual malice and in the reasonable belief that such report is warranted by the facts known to him or her at the time.	None	None	Provides immunity from liability for good faith reporting.
Wisconsin	Wis. Stat. Ann. § 450.10 (b) Any health care professional who in good faith provides another health care professional with information concerning a violation of this chapter or ch. 961 by any person shall be immune from any civil or criminal liability that results from any act or omission in providing such information. In any administrative or court proceeding, the good faith of the health care professional providing such information shall be presumed.	None	None	Provides immunity from civil and criminal liability for good faith reporting.
Wyoming	None	Wyo. Admin. Code 059.0001.2 § 5(v) Responsibilities of the [Pharmacist-in-Charge (PIC)] include requiring compliance with all federal and state pharmacy laws and regulations. It shall be the duty of the PIC to report all pharmacy violations within their facility to the Board... Wyo. Admin. Code 059.0001.2 § 4(ff) Pharmacist-in-Charge (PIC) means a pharmacist currently licensed in this state who accepts responsibility for the operation of a pharmacy in conformance with all laws, rules pertinent to the practice of pharmacy and the distribution of drugs.	None	PIC has duty to report pharmacy violations to the Board