

Miss. Code Ann. § 73-21-97
MISSISSIPPI CODE of 1972

*** Current through the 2018 Regular Session ***

TITLE 73. PROFESSIONS AND VOCATIONS
CHAPTER 21. PHARMACISTS
MISSISSIPPI PHARMACY PRACTICE ACT

Miss. Code Ann. § 73-21-97

§ 73-21-97. Denial of renewal, suspension, revocation or restrictions on licenses, registrations or permits; grounds; warning or reprimand [Repealed effective July 1, 2020; paragraph (1)(o) repealed effective July 1, 2020].

- 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;
 - b)** Incapacity of a nature that prevents a pharmacist from engaging in the practice of pharmacy with reasonable skill, confidence and safety to the public;
 - c)** Being found guilty by a court of competent jurisdiction of one or more of the following:
 - i)** A felony;
 - ii)** Any act involving moral turpitude or gross immorality; or
 - iii)** Violation of pharmacy or drug laws of this state or rules or regulations pertaining thereto, or of statutes, rules or regulations of any other state or the federal government;
 - d)** Fraud or intentional misrepresentation by a licensee or permit holder in securing the issuance or renewal of a license or permit;
 - e)** Engaging or aiding and abetting an individual to engage in the practice of pharmacy without a license;
 - f)** Violation of any of the provisions of this chapter or rules or regulations adopted pursuant to this chapter;
 - g)** Failure to comply with lawful orders of the board;
 - h)** Negligently or willfully acting in a manner inconsistent with the health or safety of the public;
 - i)** Addiction to or dependence on alcohol or controlled substances or the unauthorized use or possession of controlled substances;
 - j)** Misappropriation of any prescription drug;
 - k)** Being found guilty by the licensing agency in another state of violating the statutes, rules or regulations of that jurisdiction;

- l) The unlawful or unauthorized possession of a controlled substance;
 - m) Willful failure to submit drug monitoring information or willful submission of incorrect dispensing information as required by the Prescription Monitoring Program under Section 73-21-127;
 - n) Failure to obtain the license, registration or permit required by this chapter; or
 - o) Violation(s) of the provisions of Sections 41-121-1 through 41-121-9 relating to deceptive advertisement by health care practitioners. This paragraph shall stand repealed on July 1, 2020.
- 2) In lieu of suspension, revocation or restriction of a license as provided for above, the board may warn or reprimand the offending pharmacist.
- 3) In addition to the grounds specified in subsection (1) of this section, the board shall be authorized to suspend the license, registration or permit of any person for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license, registration or permit for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license, registration or permit suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license, registration or permit suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

HISTORY: Laws, 1983, ch. 414, § 14; Laws, 1991, ch. 527, § 14; Laws, 1992, ch. 531 § 4; Laws, 1993, ch. 416, § 15; Laws, 1994, ch. 513, § 4; Laws, 1996, ch. 507, § 48; reenacted without change, Laws, 1998, ch. 511, § 15; reenacted without change, Laws, 2002, ch. 501, § 15; reenacted without change, Laws, 2006, ch. 533, § 15; Laws, 2008, ch. 516, § 2; reenacted and amended, Laws, 2011, ch. 546, § 13; Laws, 2012, ch. 409, § 8; Laws, 2016, ch. 419, § 11; reenacted without change, Laws, 2016, ch. 448, § 15, eff from and after July 1, 2016.