

Virginia Board of Pharmacy

Continuing Education Audit

Procedure for enforcement of CE requirements:

Following each renewal cycle, Board staff may audit the following persons for CE compliance:

- Persons checking "no" to the CE attestation on the annual license renewal form, either paper or online
- Persons who requested a continuance from the previous year
- Persons selected for random audit. The audit will be conducted pursuant to procedures established by the Department of Health Professions to ensure a statistically valid audit sample and randomness of those selected.

This procedure does not preclude the auditing and special handling of CE non-compliance as may be specified in a Board order.

If the response to the audit does not show compliance with CE requirements, Board staff will send a letter to the respondent offering resolution of the matter by consent, payment of an established monetary penalty, and proof of late compliance with CE requirements. The letter will also offer an additional opportunity for the respondent to furnish proof that CE requirements were actually met during the specified time period or the opportunity to request an informal conference. A signed letter will constitute an order of the Board and the licensee's consent to the imposition of a monetary penalty and an agreement to the submission of documentation of late CE compliance. If there is no response to the letter, within 30 days, an informal conference before an agency subordinate, or IFC if more expedient, will be scheduled.

The monetary penalty offered in the letter will be \$250 for each year a pharmacist does not meet CE requirements. Because the maximum audit period is 2 years, the maximum penalty would be \$500. The monetary penalty offered for each year that a pharmacy technician does not meet CE requirements will be \$50, for a maximum penalty of \$100.

Board-imposed penalties for CE non-compliance not resolved by consent may result in the issuance of a reprimand and mandatory CE audit in the subsequent year following the informal conference proceedings. If the licensee has subsequent noncompliance with CE, staff will not offer a pre-hearing consent order but will notice the licensee for an informal conference. It will be noted that this is a repeat violation, and the informal conference committee will determine the appropriate sanction.