

BOARD OF PHARMACY SPECIALTIES

POLICIES AND PROCEDURES

XV. Discipline and Revocation of Certification

A. General Information

1. It is the expectation of the Board of Pharmacy Specialties that its certificants will demonstrate personal and professional integrity and will bring credit to themselves, the profession of pharmacy, and the BPS certification. The certification process itself includes requirements for appropriate conduct in applying for and taking BPS examinations, maintaining certification and licensure to practice, serving as a BPS volunteer contributor, and in other relationships with BPS.
2. Failure to meet those standards will subject a certificant to potential revocation of certification in accordance with established policy and procedures.
3. Complaints concerning violation of BPS standards or requirements by applicants or certificants (including suspension or revocation of license to practice pharmacy) must be reported in writing to the BPS Executive Director, and will be acted upon promptly. Complaints should be as specific as possible, and will be handled confidentially, unless legal requirements require release of information.
4. BPS does not have the ability to independently investigate complaints regarding professional conduct or practice of certificants. Any complaints of such nature received by BPS will be referred to the State Board of Pharmacy serving the certificant's official mailing address in BPS files. BPS will monitor closely the action of the State Board, and if the certificant's license is revoked or suspended, the maintenance of licensure provisions of the BPS Policy and Procedure on Revocation of Certification will be invoked.
5. The following attestations are signed as a part of each BPS certification application, and are pertinent to the provisions of this policy:
 - a. I understand and agree that in the event any material statement made by me during this certification process is false, I will not be certified, or if such has been granted to me, that it will be revoked.
 - b. If certified by BPS, I agree to make claims regarding certification only in respect to the scope for which certification has been granted. Further, I agree to not use the certification in such a manner as to bring the Board of Pharmacy Specialties into disrepute and not make any statement regarding the certification which the Board of Pharmacy Specialties may consider misleading or unauthorized. Further, I agree to ensure that neither certificate nor any part thereof is used in a misleading manner.
 - c. Upon suspension or withdrawal of certification, I agree to discontinue the use of all claims to certification that contains any reference to the Board of Pharmacy Specialties or its certifications, and to return any certificates issued by BPS.

- d. I hereby certify that the information given during this certification process is true and correct to the best of my knowledge and belief.
6. The following attestation of confidentiality is signed immediately prior to taking a BPS exam and is pertinent to this policy:
 - a. This examination and the test questions contained herein are the exclusive property of BPS.
 - b. This examination and the test questions contained herein are protected by copyright law. No part of this exam may be copied or reproduced in part or whole by any means whatsoever, including memorization.
 - c. The theft or attempted theft of an examination booklet is punishable as a felony.
 - d. My participation in any irregularity occurring during this examination, such as giving or obtaining unauthorized information or aid, as evidenced by observation or subsequent analysis, may result in termination of my participation, invalidation of the results of my examination or other appropriate action.
 - e. Further discussion or disclosure of the contents of the examination orally, in writing or by any other means is prohibited.

My signature below indicates that I have read, understood and agree to be bound by the statement of confidentiality. Failure to comply can result in termination of my participation, invalidation of the results of my examination or other appropriate action.

B. BPS Policy and Procedure on Revocation of Certification

1. Policy: The certification of an individual may be revoked for:
 - a. Failure to complete or fulfill requirements for certification or recertification;
 - b. Failure to maintain professional licensure;
 - c. Determination that certification or recertification was improperly granted;
 - d. Misrepresentation or misstatement of facts submitted upon application for certification or recertification;
 - e. Violation of Conflict of Interest and/or confidentiality/non-disclosure attestations to BPS. (See Policy VIII)

Revocation for failure to maintain licensure or to recertify in accordance with BPS recertification policy is automatic and non-discretionary. All other grounds for revocation of certification are discretionary on the part of the Board of Pharmacy Specialties.

Discussion: The procedure has two steps. Step one consists of notification to the certificant of proposed revocation of BPS certification. If the certificant fails to submit a written opposition to the proposed revocation, final action may then be taken. Step two consists of the procedures provided by the BPS Reconsideration and Appeal Policy and Procedure and is invoked when the certificant files a written opposition to the proposed revocation.

2. Procedure for Step One: Notification to the certificant of proposed revocation

Upon receipt of information that would lead to revocation of certification, the certificant will be notified in writing of the proposed revocation and the grounds therefore. In cases of discretionary revocation, this notification will be forwarded by certified (return receipt) or registered mail and will include copies of the BPS Policy and Procedure on Revocation of Certification and the BPS Appeal Policy and Procedure.

Within sixty (60) days of notification of proposed revocation of certification, the certificant must respond by submitting a written statement, including any documentation and evidence, in opposition to the proposed revocation in accordance with the BPS Appeal Policy and Procedure. This response shall be submitted to the Executive Director of BPS.

If the certificant fails to respond within sixty (60) days, the decision will be made by the Executive Director of BPS, in conjunction with the Chair of the appropriate Specialty Council, and will become final. A copy of the final decision will be mailed to the candidate by either certified (return receipt) or registered mail, and in the event of an adverse final decision, BPS may notify the appropriate State Board(s) of Pharmacy of the final decision.

3. Procedure for Step Two: Invoking the Appeal Procedure

If the certificant proposed for decertification notifies BPS within the required sixty (60) day period, the provisions of the BPS Appeal Policies and Procedures are invoked. If the reason for revocation of certification was failure to retain licensure for any reason (which is non-discretionary for BPS), the Reconsideration/Appeal process will be limited to verification of the non-licensure with the State Board of Pharmacy. The circumstances leading to non-licensure are not further reviewable by BPS. Since BPS requires only current, active licensure in one State, lapse or loss of one state license, while another remains active, may not lead to non-discretionary revocation of certification, and this situation is reviewable and appealable through the BPS process.