



**DEPARTMENT OF HEALTH
PHARMACY QUALITY ASSURANCE COMMISSION
PROCEDURE**

Title:	Exception Application Guidelines
Reference:	Chapter 18.64 RCW Pharmacist/Interns & Pharmaceutical Firms Chapter 18.64A RCW Pharmacy Assistants & Pharmacy Technicians RCW 18.130.055 Uniform Disciplinary Act – All Pharmacy Professions
Contact:	Executive Director
Effective Date:	August 28, 2020
Approved:	Tim Lynch, Chairperson, Pharmacy Quality Assurance Commission

When an otherwise qualified applicant for a pharmacy personnel credential has a positive response to one of the personal data questions on the application or a hit on the criminal background check, the application is considered an “exception” application. This procedure establishes appropriate guidelines for exception applications related to criminal convictions and ensures consistent processing of all credential types under the authority of the Washington State Pharmacy Quality Assurance Commission (PQAC).

PROCEDURE:

1. The Office of Customer Service (OCS) identifies if applicant meets criteria as an exception application.
2. OCS credentialing staff summarize the exception applications and sends the information via a roster or matrix to the PQAC case manager to provide to a PQAC authorization panel.
3. For ease of PQAC authorization panel review, if the applicant has a single criminal conviction, the roster or matrix will include a notation as to the recommendation listed in Addendum 1.
4. A PQAC authorization panel, using the attached Addendum 1 as a guideline, determines whether to issue credentials or open a cases to further review application files.

- a. If the decision is to issue the credential, the case manager notifies OCS of the decision, and OCS proceeds with the credentialing process. No further action is required.
 - b. If the decision is to open a case, the case manager notifies OCS of the decision (proceed to number 4).
5. OCS copies the application file and forwards it to the complaint intake unit (CIU).
6. CIU opens a report and forwards the report and application file to the PQAC case manager (case manager).
7. The case manager sends the report and application file to a Reviewing Commission Member (RCM) who reviews the entire application file and presents it and a recommendation to a PQAC panel.
8. The PQAC panel determines whether to issue the credential (grant the credential or grant the credential with conditions), deny the credential, or proceed with the Notice of Required Evaluation (NRE) process.
 - a. If the PQAC panel votes to grant the credential, the case manager records the decision, forwards the case file to CIU for closure, and notifies OCS to proceed with the credentialing process.
 - b. If the PQAC panel votes to grant the credential with conditions, deny the credential, or proceed with the NRE process, the case manager records decision and forwards the case file to the appropriate staff within the Office of Investigative and Legal Services (OILS) to carry this out.

ADDENDUM 1

Below is the criteria used by PQAC when reviewing exception applications related to criminal history. Criteria are based on a single incident, not multiple unless listed.

F-Felony; Class A or B -Deny 10years; Class C-issue after 5 years with conditions

G-Gross Misdemeanor - Issue with conditions

M-Misdemeanor- Issue

Incident	If conviction occurred within the last 3 years	If conviction occurred 3-10 years ago	<i>M/GIF</i> (Class)
Animal Cruelty	Issue with conditions	Issue credential	G
Assault 4 (simple assault)	Issue with conditions	Issue credential	G
Coercion	Issue with conditions	Issue credential	G
Criminal Trespass 2	Issue with conditions	Issue credential	M
Drug convictions (Gross misdemeanor)	Issue with conditions requiring monitoring or NRE	Issue with conditions or NRE	G
DUI - first offense	Issue credential	Issue credential	G
DUI - second offense	Issue with conditions or NRE	Issue credential	G
False reporting; Filing a false report	Issue with conditions	Issue credential	G
Making False or Misleading Statements	Issue with conditions	Issue credential	G
Marijuana 40 grams or less	Issue credential	Issue credential	M
Minor in possession of alcohol	Issue credential	Issue credential	G
Obstructing a Law Enforcement Officer	Issue with conditions	Issue credential	G
Possession of drug paraphernalia	Issue credential	Issue credential	M
Prostitution	Issue with conditions	Issue credential	M/G
Resisting Arrest	Issue credential	Issue credential	M
Shoplifting	Issue with conditions	Issue credential	M/G
Simple Assault	Issue with conditions	Issue credential	G
Telephone Call Harassment	Issue with conditions	Issue credential	G

Welfare Fraud	Deny or Issue with conditions	Issue with conditions or Issue credential	G
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Incident	If conviction is 0-5 years old	If conviction occurred 5-10 years ago	M/GIF (Class)
Arson	Deny credential	Deny credential	F
Assault 1	Deny credential	Deny credential	F (A)
Assault 2	Deny credential	Deny credential	F (B)
Assault 3	Deny credential	Issue with conditions	F (C)
Attempt to Elude	Issue with conditions	Issue credential	F
Bomb threat	Deny credential	Deny credential	F (B)
Burglary 1 or 2	Deny credential	Deny credential	F(A&B)
Child molestation	Deny credential	Deny credential	F
Communication with a minor for immoral purposes	Deny credential	Deny credential	F
Conspiracy	Issue with conditions	Issue credential	G
Criminal Mistreatment 1	Deny credential	Deny credential	F
Criminal Mistreatment 2	Deny credential	Issue with conditions	F (C)
Criminal Trespass 1	Issue with conditions	Issue credential	G
Custodial assault	Deny credential	Issue with conditions	F (C)
Drug convictions (Felony)	Deny credential or NRE	Deny credential or NRE	F
Extortion 1	Deny credential	Deny Credential	F
Extortion 2	Deny Credential	Issue with conditions	F (C)
Forgery	Deny credential	Deny or Issue with conditions	F (C)
Indecent Exposure victim under 14	Deny credential	Issue credential	G
Indecent liberties	Deny Credential	Deny credential	F
Malicious Mischief 1	Deny credential	Issue with conditions	F (B)
Malicious Mischief 2	Deny credential	Issue credential	F (C)
Malicious Mischief 3	Issue with conditions	Issue credential	G
Murder	Deny credential	Deny credential	F
No Contact Order Violation	Issue with conditions	Issue credential	G

Possession of Stolen Property 1	Deny credential	Deny credential	F
Possession of Stolen Property 2	Deny credential	Issue with conditions	F (C)
Possession of Stolen Property 3	Issue with conditions	Issue credential	G
Promoting Prostitution 1	Deny credential	Issue with conditions	F (B)
Rape 1,2,3	Deny credential	Deny credential	F

Incident	If conviction is 0-5 years old (cont'd)	If conviction occurred 5-10 years ago	M/GIF (Class)
Reckless Endangerment	Issue with conditions	Issue credential	G
Residential Burglary	Deny credential	Deny credential	F (B)
Theft 1 or Robbery 1 and 2	Deny credential	Deny credential	F
Theft 2	Deny credential	Issue with conditions	F (C)
Theft 3	Issue with conditions	Issue credential	G
UIBC over \$250 (worthless check)	Deny credential	Issue with conditions	F (C)
UIBC under \$250 (worthless check)	Issue with conditions	Issue credential	G
Vehicle Theft	Deny credential	Issue with conditions	F

RCW 18.130.055 states: (1) The disciplining authority may deny an application for licensure or grant a license with conditions if the applicant:

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- (b) Has committed any act defined as unprofessional conduct for a license holder under RCW [18.130.180](#), except as provided in RCW [9.97.020](#);
- (c) Has been convicted or is subject to current prosecution or pending charges of a crime involving moral turpitude or a crime identified in RCW [43.43.830](#)