

medica and posology; and in the measure in which they will formulate their prescriptions, and in which formulation competent pharmacists can and are willing to be very helpful, physicians will not only help themselves and their patients, but they will help to restore much of the confidence which some of the purely professional pharmacists have lost in a respectable proportion of the medical profession. Physicians should not condemn pharmacy in the wholesale way in which some of them do, because pharmacy is much more highly developed and much more professional to-day than it ever has been, but it must be looked upon in the right light and not in the light and glare and ostentation of the modern ultra-commercial drug store. There are still some drug stores of to-day in which the physician can have full reliance and confidence. He may have to look a little more closely and discriminatingly.

RECIPROCITY EXPLAINED.

A Plain Statement of Essential Facts.

BY H. C. CHRISTENSEN.*

Reciprocity is a subject to which the pharmacist gives little thought until the day comes when necessity forces him to make his home in another state. Then he is either very happy and thankful to those who started such a thing; or, if he happens to be one of the unfortunate individuals who get the verdict "not eligible," he will be bitterly disappointed and probably will feel that reciprocity is a "myth."

This article explains just how reciprocity operates. Even those who may not contemplate changing to another state will benefit by reading it carefully. After such perusal, they will understand that the rules and regulations of the National Association of Boards of Pharmacy (and the states composing the membership) governing reciprocity are not discriminatory but fair to all. To the young student contemplating taking the board soon, the few minutes spent in reading this article may save much worry and disappointment in later years. To the pharmacist already registered will be made clear what he may expect in the way of reciprocal recognition on the state license or certificate he now holds.

IN THE EARLY DAYS.

Prior to 1904 there was no established reciprocity between states. A pharmacist practicing in the East or Middle West who found it necessary to go to Colorado or Arizona or any other state for a change of climate or to seek new business opportunities had to take a big chance. First, a long and expensive trip; then perhaps a wait of two or three months for the state board examination; finally either registration or, more often, failure. It is usually difficult for a pharmacist who has been in the retail drug business ten or fifteen years to pass an examination. He has forgotten much of the technical "book" knowledge on which the written examination is based, but this does not mean that he is not a worthy and competent pharmacist. He is usually a far safer guardian of the public health than the inexperienced youth who is just starting out with a new license.

* Secretary of the National Association of Boards of Pharmacy.

HOW RECIPROCITY STARTED.

A group of board members attending the conventions of the AMERICAN PHARMACEUTICAL ASSOCIATION talked over this situation, called a meeting, and in 1904 organized the National Association of Boards of Pharmacy—voluntary banding together of the boards of pharmacy with the following purpose, as stated in its constitution: "*To provide for inter-state reciprocity in pharmaceutical licensure, based upon a uniform minimum standard of pharmaceutical education and uniform legislation.*"

The National Association of Boards of Pharmacy would be glad to establish a system of reciprocity which would make every pharmacist of every state eligible for reciprocal registration in any state he might choose, if that were possible. However, the only thing that can be done is to make the best of conditions and circumstances by establishing a reciprocity as inclusive as possible under existing laws. This has been done.

The greatest difficulty to overcome is the wide difference in the standard of requirements in the various states. Every American knows that one of the fundamental principles of our United States Government is the doctrine of state rights—the sovereign power of the individual state to govern within its own borders. And states, like people, have a flair for individuality. If Mary gets a new dress, it must *not* be just like Susan's. So if Ohio passes a new law, it must be a little different from that of Indiana on the same subject. This lack of uniformity is the greatest stumbling block to reciprocity. In commencing its work, the National Association of Boards of Pharmacy was confronted by forty-eight state pharmacy laws and that of the District of Columbia, with no two of them alike. The problem was to find a common denominator.

OTHER PROFESSIONS HAVE SAME PROBLEM.

Pharmacy is not the only profession which is subject to the inconvenience of this lack of uniformity in state laws. Every profession—medicine, dentistry, law, etc.—is confronted by a similar question. Pharmacy, however, has developed a more inclusive reciprocity than any other profession, and the only chance for further extension is by an equalization of state requirements.

The proponents of a "national pharmacy law" have indeed a worthy ideal, but it will undoubtedly go the way of all impractical dreams. A law which takes away from the state the right to govern over matters within its boundaries is unconstitutional. Witness the Federal Child Labor Act passed by Congress September 1, 1916. It was declared unconstitutional by the Supreme Court a few months after it became effective on the grounds that it took away from the states a power granted them in the tenth amendment of the United States Constitution—which amendment sets forth the doctrine of state rights. When such an important measure as the regulation of *child labor* cannot secure national legislation, what possible chance has one profession?

HOW RECIPROCITY OPERATES.

Now for a more detailed account of how the present system of reciprocity operates. Each state board of pharmacy is required to enforce the pharmacy law of the particular state in which it functions, and can give allegiance and support

to the National Association of Boards of Pharmacy only in such a manner as not to conflict with that law.

If the requirements for entrance to examination in all states were equal, it would be an easy matter to establish an unlimited reciprocity, as a board has the right under existing state laws to grant reciprocity by recognizing the examination of a sister state, provided that the applicant himself was eligible for the recipient board's examination. But, how is it possible for Pennsylvania to recognize all of Colorado's registrants, which latter state in spite of many strenuous efforts has been unable to secure a state law with a higher requirement than grammar-school graduation, whereas, Pennsylvania has required college graduation since 1906? Obviously, the Pennsylvania Board of Pharmacy has not the right to grant reciprocal registration to a Colorado pharmacist who took examination on credentials consisting of grammar-school graduation and four years of apprenticeship, when it would deny Pennsylvanians the right to even sit in an examination under such circumstances.

Let us take a less extreme case—that of two states each having a college prerequisite—New Jersey and Pennsylvania. Is it not possible for these states to have unlimited interchange, since both now have the same standard? The answer is "no," for while Pennsylvania has required college graduation since 1906, New Jersey has only required it since 1920, hence there are many non-graduate pharmacists who registered in New Jersey between 1906 and 1920 who would not be able now to qualify for reciprocal registration in Pennsylvania. Thus the matter of the dates on which requirements became effective further complicates reciprocity.

There is also the question of evasion. If a *non-graduate pharmacist residing in a graduate state could go to a state without the college requirement and take examination, and later secure reciprocal registration in his home state, reciprocity would nullify the higher qualifications required by the graduate state.* Reciprocity was never intended for such purposes. If this type of evasion were permitted, it would be another infringement on the sovereign right of the state to set its own standard and would eventually lead to the abolishment of reciprocity.

BASIC RULE FOR RECIPROCITY.

The "common denominator" finally adopted, which covers all of these points fairly, and which is usually called the basic rule for reciprocity, reads as follows:

The applicant must have had the legal qualifications at the time of examination and registration in the state from which he applies which would AT THAT TIME have enabled him to qualify for examination and registration in the state to which he is applying for reciprocal registration.

Thus graduate pharmacists who are registered in Colorado, Arizona, Massachusetts, and other states not having a college prerequisite are not punished because of their state's lack of this requirement, but are eligible for reciprocal registration in any state in which they could have qualified for examination and registration on the date of their original license. This is because the applicant's personal qualifications are made the basis for reciprocity, not the state requirement. Various other technicalities must be considered, but it would be tiresome to elaborate upon them here.

Please notice that it is the applicant's qualifications at the time of examination and registration which are the basis for judging his eligibility for reciprocal registration in any particular state and not his present qualifications. The question which must always be asked is, "Was this man eligible to take examination in the state with which he desires to register by reciprocity on the day when he became registered in the state in which he holds license by examination?" If the answer is "yes," he should be able to qualify for registration by reciprocity.

For example, supposing John Smith registered in Missouri by examination in 1920, filing as credentials four years of apprenticeship. In 1928, he decides that he wants to make his home in Mississippi, but Mississippi has had a college-graduation requirement effective since 1921. Is he eligible? The answer is "yes," because his registration in Missouri in 1920 makes him responsible only for requirements in force in Mississippi at that time and exempts him from the college-graduation requirement of that state which did not become in force until 1921. By this system of reciprocity, a registrant is exempted from any higher requirements enacted by other states after the date of his registration by examination. Also, inasmuch as higher standards are adopted from time to time by the various states, it follows that any system based entirely on present-day requirements is not practical or fair to the registrants of an earlier period.

KEEP IN GOOD STANDING.

Just a word of caution to pharmacists now registered. Always be sure to keep in good standing by payment of renewal fees in the state in which you originally registered by examination, if required. Reciprocity is always on the basis of registration by examination. Registration obtained by reciprocity cannot be used to secure further reciprocity. A person who registers by examination in Illinois and then secures reciprocal registration in Indiana, dropping his Illinois registration, finds himself in a bad way later when he may wish to go to Ohio or some other state. Illinois will not certify to his registration and grades *unless he is in good standing*, and Indiana has *no grades* as he did not take an examination there. He might take an examination for reinstatement in Illinois, but if his reinstatement were dated on the later date, it would cancel his exemption from higher requirements enacted in the interim.

IF YOU CONTEMPLATE TAKING THE BOARD EXAMINATION.

To the young man who contemplates taking a board examination soon, the following is good advice to heed:

Thirty-four states now require college of pharmacy graduation. The present minimum recognized course is three years. If you register without being a college graduate, you bar yourself from reciprocity with the present college prerequisite states, and these usually offer the best opportunities and the highest salaries.

With only two or three exceptions, the states require retail drug-store experience in addition to college, even for four-year graduates. The minimum for three- and four-year graduates is one year of retail drug-store experience. Many states require as high as two years' experience for the three-year and even the four-year graduate. The recognized two-year graduate (who entered college before the September 1925 term) is required to furnish two years of drug-store experience

in some states; in others, where credit for college counts for actual months of attendance only, the experience required is two and one-half years. It is therefore important that every candidate for registration by examination make sure of enough prior experience before taking the board. Experience obtained *after* registration has no value as prior experience. It is wiser for the college graduate to delay completing his registration until he has had sufficient experience to meet the maximum state experience requirement, thus insuring himself against disappointment in the future should he find it necessary to register in such a state by reciprocity.

There are still two or three states that admit candidates to examination on only three years of apprenticeship. To register with such qualifications is folly, as the registrant bars himself from reciprocity even with the non-graduate states requiring four years of apprenticeship, and cuts his field of future activity to a very limited range.

After registering by examination in a state, you should be sure to remain and practice pharmacy in that state for at least one full year after obtaining your state license or certificate, as the general rules for reciprocity require that a pharmacist practice in the State of examination at least a full year *after* registration before he is eligible for reciprocity in another state. Under extenuating circumstances, some states have the power to waive this requirement but that is the exception rather than the rule.

The National Association of Boards of Pharmacy now numbers forty-eight member boards—forty-six states, the District of Columbia and the territory of Alaska. California and New York are the only two states not actively affiliated. New York has been an associate member for years and has assisted in the work of the Association but for technical reasons within the state has been unable to become an active reciprocating member.

HOW TO REGISTER BY RECIPROCITY.

What must the pharmacist do when he wishes to register by reciprocity? The first step is to write to the secretary of the National Association of Boards of Pharmacy¹ for a preliminary information blank. This form can also be obtained from the secretary of any member board of pharmacy.

Great care should be taken in filling in this blank and *all* experience both prior to and since registration should be listed, giving at least approximate dates, name of employer and location. All the questions asked in the blank should be answered fully. A lack of proper information may lead to a wrong decision. Many careless individuals do not take the time to write in all of their experience and are quite surprised when turned down because of "insufficient experience," and say, "But I had more." The burden of proof is on the applicant; only the submitted credentials are considered and investigated. The fee for the official application blank is \$15.00 and a money order or bank cashier's check for that amount should be attached when sending the preliminary information to the secretary of the National Association of Boards of Pharmacy.

The N. A. B. P. secretary's office carefully checks the information submitted to determine the question, "Would this registrant have been eligible to take

¹ H. C. Christensen, 130 N. Wells St., Chicago, Ill.

examination in the state with which he desires to register by reciprocity, on the day when he took examination in the state in which he now holds license?" If the answer is favorable, the official reciprocal application blank is issued with full instructions as to how it is to be executed and filed with the recipient board of pharmacy.

The only object in withholding official blanks from those who are not deemed eligible is to save them the cost of personal appearance before a board in a distant state and the loss of considerable time and money. If there is any hope of acceptance, the official application is issued so that it may be submitted to the board for consideration. All credentials are carefully checked and subject to verification. Therefore, in submitting information, honesty is the best policy.

Issuance of the official application for reciprocal registration is no guarantee of acceptance by the recipient board. The N. A. B. P. secretary's office has no record of grades and these have an important bearing on acceptance or rejection. Then, too, the recipient board is the last court and has discretionary power to reject applicants for a cause.

In case of rejection, a refund of \$10.00 of the \$15.00 fee for the official blank is made to the applicant, although the actual cost of handling the case may be considerably more than \$5.00.

There is a time limit of 90 days for filing the official blank. This limit was found necessary as holders often abused the privileges conveyed by delaying registration for long periods. When the circumstances warrant it, the application may be renewed for another 90 days, provided request for renewal is made before the first 90-day period has expired. An additional fee of \$5.00 is charged for the renewal. Many states issue temporary permits to practice while reciprocity application is pending. Some do not.

In addition to the fee for the official application, there is a state registration or license fee. This varies from \$10.00 to \$30.00, according to state. Only one state charges \$50.00. There is also a fee for certification of registration and grades, usually \$1.00, payable to the certifying board.

Here is another important matter: If an applicant takes the regular examination in a state and fails, he is usually debarred from entering that state by the reciprocity route. For example, if a candidate *fails* in an Illinois examination, then later passes the Indiana examination, Illinois will not receive him as a registrant by reciprocity.

WRITE THE N. A. B. P. FOR INFORMATION.

The secretary's office of the N. A. B. P. is an information bureau. Every day many letters are answered regarding reciprocity and the requirements of the various states. In this office has been gathered information from many sources. An attempt is constantly made to keep the pharmacy law files up to the minute. Here the pharmacist may write for an opinion as to his standing in any particular state—the information is available for the asking.

The National Association of Boards of Pharmacy has not contented itself with the mere carrying out of reciprocity as it is now established between its member states. The organization has always had a second purpose—the establishment of a uniform standard of pharmaceutical education and uniform legislation—

and has constantly striven toward this goal, realizing that there can be no all-inclusive reciprocity until the standards and requirements of the individual states have been brought to an equal basis. Once that object has been accomplished, a true reciprocity of national scope will have been made possible.

THE PHARMACIST AND THE LAW

BY HOWARD KIRK,* EDITOR OF THIS DEPARTMENT.

"Poor Lawyers Are Hurting Pharmacy" states an esteemed contemporary. Sad, but true, we reply—poor lawyers hurt about everything they touch. But we must stage our little comeback. Poor pharmacists are hurting lawyers, say we, and hurting preachers, and newspaper reporters and everything they can lay *their* hands on. Suppose we call it quits on that score.

Our contemporary seems to have a queer idea of the lawyer. The article pictures a furtive, four-flushing figure in a morning coat, pushing open a silent back-drop door—emblem of slyness—and that figure is supposed to represent a lawyer. Underneath is the legend:

"A lawyer may be shrewd in his own way. He may be foxy and full of schemes. But if he doesn't know pharmacy—if he's an amateur at the art of getting bills passed—pharmacy is better off without him."

Apparently, then, the ideal pharmacy lawyer must be "shrewd, foxy and full of schemes"—and must also understand the art of getting bills passed. To the last item we agree. It is a grand art to know how to meet a Legislative committee. It is an art that every lawyer may covet. To learn it, he will need to be sure of himself and sure of his proposition, and know how to state it in words of one syllable.

But if he desires to meet the great American populace in Congress assembled, or in Legislative Committee gathered and seated, let him forget what it is to be "shrewd, foxy and full of schemes." Some clear-eyed men are at our state capitals—men that have fought their way up in political life through every obstacle of trickery and ambush, and it will be pretty hard for him to fool those men. There are a hundred chances to one that they will fool him, if he relies on his schemes and shrewdness. Come out with your proposition, brother, and lay your cards on the table. Questionable means will not bring about legislation that is essential for the protection and conservation of public health; for example, that for regulating the practice of pharmacy. You must appeal directly to the sound sense that is in every man, whether he be on or off a legislative committee. Say what you have to say, and when you are done, stop. Then if you are on the job, and continue to stay on the job, you may get your legislation passed.

And you may not. There is no sureness about it, and no mystery. But we would like to re-draw the slick gentleman in the morning coat. Just a little professional pride, perhaps, but real lawyers don't look that way.

How do they look? You couldn't pick 'em out from any other crowd of good-lookers. They just look as if they could take you on for a fight or a frolic—whatever is necessary.

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