

The Commonwealth of Massachusetts

ANNUAL REPORT

OF THE

BOARD OF REGISTRATION IN PHARMACY

FOR THE

YEAR ENDING NOVEMBER 30, 1921

DIVISION OF REGISTRATION

DEPARTMENT OF CIVIL SERVICE AND REGISTRATION



BOSTON

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32 DERNE STREET

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The Commonwealth of Massachusetts

REPORT.

TO HON. WILLIAM F. CRAIG, *Director of Registration, Department of Civil Service and Registration.*

SIR:—In compliance with section 25, chapter 112 of the General Laws, the Board of Registration in Pharmacy has the honor to submit this its thirty-sixth annual report.

The condition of pharmacy throughout the Commonwealth has been marked by prosperity during the year. Sixty-five new stores have been opened, which is a greater number than any previous year, the total now being 1,734. There has been a greater demand for registration, 120 more candidates having been examined during the year, and its close finds many applicants on the waiting list.

The Board has been acting with unusual deliberation in the issuing of certificates for third-class liquor licenses and has refused a large number. In cases of new stores it has waited until the business was well seasoned before a certificate has been issued. It has in all cases satisfied itself that the drug stock was sufficient to meet every prescription requirement. It feels that every precaution should be used to prevent these liquor certificates from being held by persons who are unworthy of the trust.

By authority of a law passed by the last Legislature, the Board has been able to demand the taking down of signs indicating a drug business in cases where stores have been discontinued as drug stores and kept open for the sale of patent and proprietary medicines. This legislation aids in the protection of the public against unqualified stores and is a mark of progress in pharmacy.

By act of the Legislature in 1920 the fee for drug store permits was advanced from \$1 to \$5, taking effect Jan. 1, 1921. This was done that the Board might be on a self-supporting basis. By means of this increase \$5,598.37 has been paid into

the treasury in excess of the Board's expense as drawn from appropriations.

During the year the office of president changed from Percy N. Hall to Frederick W. Archer. Mr. Hall, having left the retail drug business for work in the wholesale line, felt it necessary to resign as a member of the Board. He was succeeded by Mr. King as a member. Mr. Hall served as chairman from Dec. 1, 1919, until the time of his retirement, and was always an enthusiastic worker.

The eighteenth annual convention of the National Association of Boards of Pharmacy met at New Orleans in September and was represented by Mr. Ellis. One of the subjects discussed was that of requiring the candidate for examination to be a college of pharmacy graduate and also to have taken a high school course. The college prerequisite has been adopted by fifteen States of the Union, and if Massachusetts druggists are to be recognized by other States in years to come, this legislation must be enacted in the near future. A great deal of attention has been given to this subject by the various States. The Board was also represented at a branch meeting of the association held at Portland, Me.

The Board would recommend that the following legislation be enacted:—

1. UNREGISTERED COPARTNERS AND STOCKHOLDERS IN THE DRUG BUSINESS.

The number of drug stores at the close of this fiscal year shows a noticeable increase in new stores. Many of these new stores have been financed by persons not registered as pharmacists. There is no law which prevents a person from investing his money as he desires, and the Board does not wish any limitation in that respect, but it does believe that the policies of the drug business should be controlled by men of the profession who through their experience and training realize the responsibilities connected with the handling of drugs as well as the carrying out of the many State and Federal laws which safeguard narcotics and intoxicating liquors.

In 1913 the Board was successful in securing the enactment of a law which read, "No unregistered copartner or unregistered

stockholder in a corporation doing a retail drug business shall hereafter be actively engaged in the drug business," the term "actively engaged" being defined by the Attorney-General to mean the doing of any work in the store.

When the law was codified in 1920, this section was changed in its effect, the new draft allowing the unregistered stockholder or copartner the same rights as a junior clerk. The objection to this change is that if the unregistered investor is allowed to work in the store at all he will control the policy of the business, and the management will not be, in reality, in the hands of the registered pharmacist as the law requires.

The Board therefore recommends that the original reading of the law be restored, and that the opinion of the Attorney-General relating thereto shall be incorporated with it so as to leave intact the law which has been enforced by this Board and local authorities since May 28, 1913.

2 AND 3. LEGISLATION RELATIVE TO THE SALARY OF THE AGENT AND LEGISLATION TO REIMBURSE THE AGENT FOR MONEY RETURNED BY HIM TO THE STATE TREASURY.

The salary of the agent of the Board was established in 1914 by an act of the Legislature at \$1,750 per year. Since that time the duties and responsibilities of the position have greatly increased in various ways. There have been many more drug stores opened throughout the Commonwealth, and more detailed and careful inspection by the agent of the drug stores of the State has been required on account of changes made in the narcotic and liquor laws. Since the enactment of the prohibition law, numerous applications for permits to operate drug stores and for liquor license certificates have been received. Each one of these applications requires an examination of the premises and an investigation of the character, status and business record of the individuals concerned. Complaints received from the public require his investigation of the facts in each case. Police departments have required his assistance in prosecuting and investigating violations of the laws relating to the practice of pharmacy. The agent is not only required to inspect and to investigate, but the druggists expect that he will have such knowledge of the United States laws and regulations as to

be able to inform and assist them to comply with the same. The experience gained by four years' work as agent has given him a knowledge of the pharmacists and the stores of the State which is of considerable value.

The Board has not been unmindful of the efficient work of the agent, as evidenced by the increases of salary voted to him during his term of service. These increases were approved by the Governor and Council and by the Supervisor of Administration. He was receiving a salary of \$2,000 when an opinion was received in November, 1921, from the Attorney-General that the increases were not allowable. The agent was then required to return to the Commonwealth all salary received by him in excess of that specified in the 1914 statute, amounting to \$404.19.

The Board would therefore recommend legislation that would allow the Board to fix the salary of the agent subject to the approval of the Supervisor of Administration; also legislation to reimburse the agent for the sum which he was obliged to return to the treasury of the Commonwealth.

Respectfully submitted,

FREDERICK W. ARCHER, *President.*

LEON C. ELLIS, *Secretary.*

CARLTON B. WHEELER.

JOHN M. KELLEHER.

CHARLES W. KING.

In accordance with the law regulating the membership of the Board, the term of Mr. Leon C. Ellis expired on November 31. Mr. Ellis has served as secretary for the past two years and twice represented the Board at the meetings of the National Association. Although passing through severe personal trials while a member, he always retained his optimistic and kindly attitude. His loss will be felt most keenly.

FREDERICK W. ARCHER.

CARLTON B. WHEELER.

JOHN M. KELLEHER.

CHARLES W. KING.

SECRETARY'S REPORT.

Meetings for examination have been held on dates and with results as follows:—

EXAMINATIONS.

DATE OF EXAMINATION.	Number examined.	Number registered as Pharmacists.	Number registered as Assistants.	Number of Assistants failing to become Pharmacists.	Number found not qualified to receive any Certificate.
1921.					
January 14	71	5	20	24	19
February 16	32	17	15	11	6
March 13	36	9	25	16	4
April 22	53	17	10	16	10
May 27	40	12	17	16	15
June 16	57	17	17	15	8
June 17	55	26	12	9	8
September 21	53	5	9	22	17
October 24	44	5	16	13	7
November 25	39	10	7	13	9
Totals	540	129	151	155	105

Of the 129 persons who passed the examinations and were granted certificates of registration in pharmacy—

43 passed on first examination.
 31 passed on second examination.
 24 passed on third examination.
 14 passed on fourth examination.
 10 passed on fifth examination.

4 passed on sixth examination.
 1 passed on ninth examination.
 1 passed on tenth examination.
 1 passed on fifteenth examination.

Five who passed for pharmacists were registered as assistants until they would become of age, at which time they were registered as pharmacists.

Certificates of registration have been granted by reciprocity, as follows: —

5 registered from Maine.	4 registered from New Hampshire.
3 registered from Vermont.	1 registered from Alabama.
2 registered from Michigan.	1 registered from Pennsylvania.

FEES RECEIVED DURING THE FISCAL YEAR.

15 permit fees at \$1 (before law was changed)	\$15 00
1,968 permit fees at \$5 (after law was changed)	9,840 00
914 liquor certificate fees at \$5	4,570 00
198 examinations (first examination) at \$5	990 00
341 examinations (re-examination) at \$3	1,023 00
19 fees for registration by reciprocity at \$10	190 00
8 fees for duplicate certificates of registration at \$5	40 00
43 fees for certified statements at \$1	43 00
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Total fees received	\$16,711 00
Bank interest	15 80
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Total amount paid into the treasury of the Commonwealth	\$16,726 80

EXPENDITURES.

Salaries of the Board	\$3,773 65
Salaries of agent, clerk and office assistants	3,779 98
Traveling and office expenses	3,574 80
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	\$11,128 43

OBITUARY.

Louis N. Abbott, Boston.	Edward Kavanaugh, South Essex.
John M. Bond, Westfield.	John J. Keaney, Malden.
Michael Callahan, New Bedford.	Frederick O. P. Lindbom, Worcester.
George Carpenter, Haverhill.	John T. McColl, Boston.
Charles O. Currier, Stoneham.	Worthington W. Miner, Ware.
William S. Curtis, Lynn.	Frederick M. Moore, Great Barrington.
Archibald Dakin, Boston.	Eliot Nash, Greenfield.
Anthony Eaton, New Bedford.	John F. O'Connor, Winchester.
William B. Foster, Brockton.	Charles A. Paine, Boston.
David R. Ginn, Dennisport.	Gordon Parker, Brockton.
William H. Gray, Springfield.	Wilfred W. Root, Brattleboro, Vt.
John T. Harrigan, Danvers.	W. Alfred Woodward, Worcester.
James A. Hurley, Lexington.	
George H. Ingraham, Newton.	

SUMMARY.

Meetings for examination	10
Meetings for hearings, etc.	26
Hearings relative to complaints	28
Hearings relative to reports of agent	39
Hearings relative to applications for permits, applications for certificates to dispense liquors on prescription, reciprocal registration, etc.	143
Number of drug store permits suspended for thirty days	1
Number of certificates of registration suspended	2
Number of certificates to dispense intoxicating liquors on prescriptions suspended	4
Number of certificates to dispense intoxicating liquors on prescriptions revoked	3
Number of certificates to dispense intoxicating liquors on prescriptions refused and not granted at any later date	48
Number of drug store permits refused and not granted at any later date	7

Respectfully submitted,

LEON C. ELLIS,

Secretary.