

PROPOSED CHANGES RELATED TO DUTIES OF PHARMACY TECHNICIANS

Pharmacy Practice Act

(225 ILCS 85/9) (from Ch. 111, par. 4129)

(Section scheduled to be repealed on January 1, 2020)

Sec. 9. Licensure as registered pharmacy technician.

(a) Any person shall be entitled to licensure as a registered pharmacy technician who is of the age of 16 or over, has not engaged in conduct or behavior determined to be grounds for discipline under this Act, is attending or has graduated from an accredited high school or comparable school or educational institution or received a high school equivalency certificate, and has filed a written or electronic application for licensure on a form to be prescribed and furnished by the Department for that purpose. The Department shall issue a license as a registered pharmacy technician to any applicant who has qualified as aforesaid, and such license shall be the sole authority required to assist licensed pharmacists in the practice of pharmacy, under the supervision of a licensed pharmacist. ~~A registered pharmacy technician may, under the supervision of a pharmacist, assist in the practice of pharmacy and perform such functions as assisting in the dispensing process, offering counseling, receiving new verbal prescription orders, and having prescriber contact concerning prescription drug order clarification.~~ A registered pharmacy technician may be delegated to perform any task within the practice of pharmacy if specifically trained for that task, [SM]except for the following tasks: patient counseling, drug regimen review, or clinical conflict resolution.

(b) Beginning on January 1, 2017, within 2 years after initial licensure as a registered pharmacy technician, the licensee must meet the requirements described in Section 9.5 of this Act and become licensed as a registered certified pharmacy technician. If the licensee has not yet attained the age of 18, then upon the next renewal as a registered pharmacy technician, the licensee must meet the requirements described in Section 9.5 of this Act and become licensed as a registered certified pharmacy technician. This requirement does not apply to pharmacy technicians registered prior to January 1, 2008.

(c) Any person registered as a pharmacy technician who is also enrolled in a first professional degree program in pharmacy in a school or college of pharmacy or a department of pharmacy of a university approved by the Department or has graduated from such a program within the last 18 months, shall be considered a "student pharmacist" and entitled to use the title "student pharmacist". A student pharmacist must meet all of the requirements for licensure as a registered pharmacy technician set forth in this Section excluding the requirement of certification prior to the second license renewal and pay the required registered pharmacy technician license fees. A student pharmacist may, under the supervision of a pharmacist, assist in the practice of pharmacy and perform any and all functions delegated to him or her by the pharmacist.

(d) Any person seeking licensure as a pharmacist who has graduated from a pharmacy program outside the United States must register as a pharmacy technician and shall be considered a "student pharmacist" and be entitled to use the title "student pharmacist" while completing the 1,200 clinical hours of training approved by the Board of Pharmacy described and for no more than 18 months after completion of these hours. These individuals are not required to become registered certified pharmacy technicians while completing their Board approved clinical training, but must become licensed as a pharmacist or become licensed as a registered certified pharmacy technician before the second pharmacy technician license renewal following

completion of the Board approved clinical training.

(e) The Department shall not renew the registered pharmacy technician license of any person who has been licensed as a registered pharmacy technician with the designation "student pharmacist" who: (1) has dropped out of or been expelled from an ACPE accredited college of pharmacy; (2) has failed to complete his or her 1,200 hours of Board approved clinical training within 24 months; or (3) has failed the pharmacist licensure examination 3 times. The Department shall require these individuals to meet the requirements of and become licensed as a registered certified pharmacy technician.

(f) The Department may take any action set forth in Section 30 of this Act with regard to a license pursuant to this Section.

(g) Any person who is enrolled in a non-traditional Pharm.D. program at an ACPE accredited college of pharmacy and is licensed as a registered pharmacist under the laws of another United States jurisdiction shall be permitted to engage in the program of practice experience required in the academic program by virtue of such license. Such person shall be exempt from the requirement of licensure as a registered pharmacy technician or registered certified pharmacy technician while engaged in the program of practice experience required in the academic program.

An applicant for licensure as a registered pharmacy technician may assist a pharmacist in the practice of pharmacy for a period of up to 60 days prior to the issuance of a license if the applicant has submitted the required fee and an application for licensure to the Department. The applicant shall keep a copy of the submitted application on the premises where the applicant is assisting in the practice of pharmacy. The Department shall forward confirmation of receipt of the application with start and expiration dates of practice pending licensure.

(Source: P.A. 99-473, eff. 1-1-17; 100-497, eff. 9-8-17.)

(225 ILCS 85/9.5)

~~—(Section scheduled to be repealed on January 1, 2020)—~~

Sec. 9.5. Registered certified pharmacy technician.

(a) An individual licensed as a registered pharmacy technician under this Act may be licensed as a registered certified pharmacy technician, if he or she meets all of the following requirements:

(1) He or she has submitted a written application in the form and manner prescribed by the Department.

(2) He or she has attained the age of 18.

(3) He or she is of good moral character, as determined by the Department.

(4) ~~Beginning on January 1, 2022, all new pharmacy technicians would be required to~~^{SM2}~~have He or she has~~ (i) graduated from pharmacy

technician training meeting the requirements set forth in subsection (a) of Section 17.1 of this Act or (ii) obtained documentation from the pharmacist-in-charge of the pharmacy where the applicant is employed verifying that he or she has successfully completed a standardized nationally accredited education and training program and has successfully completed an objective assessment mechanism prepared in accordance with rules established by the Department.

(5) He or she has successfully passed an examination

accredited by the National Commission for Certifying Agencies, as approved and required by the Board or by rule.

(6) He or she has paid the required licensure fees.

(b) No pharmacist whose license has been denied, revoked, suspended, or restricted for disciplinary purposes may be eligible to be registered as a certified pharmacy technician unless authorized by order of the Department as a condition of restoration from revocation, suspension, or restriction.

(c) The Department may, by rule, establish any additional requirements for licensure under this Section.

(d) A person who is not a licensed registered pharmacy technician and meets the requirements of this Section may be licensed as a registered certified pharmacy technician without first being licensed as a registered pharmacy technician.

(e) As a condition for the renewal of a license as a registered certified pharmacy technician, the licensee shall provide evidence to the Department of completion of a total of 20 hours of continuing pharmacy education during the 24 months preceding the expiration date of the certificate as established by rule. One hour of continuing pharmacy education must be in the subject of pharmacy law. One hour of continuing pharmacy education must be in the subject of patient safety. The continuing education shall be approved by the Accreditation Council on Pharmacy Education.

The Department may establish by rule a means for the verification of completion of the continuing education required by this subsection (e). This verification may be accomplished through audits of records maintained by licensees, by requiring the filing of continuing education certificates with the Department or a qualified organization selected by the Department to maintain such records, or by other means established by the Department.

Rules developed under this subsection (e) may provide for a reasonable bi-annual fee, not to exceed \$2040, to fund the cost of such recordkeeping. The Department may, by rule, further provide an orderly process for the restoration of a license that has not been renewed due to the failure to meet the continuing pharmacy education requirements of this subsection (e). The Department may waive the requirements of continuing pharmacy education, in whole or in part, in cases of extreme hardship as defined by rule of the Department. The waivers may be granted for not more than one of any 3-2 consecutive renewal periods.

(Source: P.A. 99-473, eff. 1-1-17; 100-497, eff. 9-8-17.)

(225 ILCS 85/17.1)

(Section scheduled to be repealed on January 1, 2020)

Sec. 17.1. Registered pharmacy technician training.

(a) Beginning January 1, ~~2004~~2022, it shall be the joint responsibility of a pharmacy and its pharmacist in charge to ensure that all new pharmacy technicians have are educated and trained all of its registered pharmacy technicians or obtain proof of prior using a standardized nationally accredited education and training program like those accredited by ACPE/ASHP or other board approved education and training program. Training is also required in all of the following practice areas as they apply to Illinois law and topics as they relate to the specific practice site and job responsibilities:

(1) The duties and responsibilities of the technicians and pharmacists.

- (2) Tasks and technical skills, policies, and procedures.
- (3) Compounding, packaging, labeling, and storage.
- (4) Pharmaceutical and medical terminology.
- (5) Record keeping requirements.
- (6) The ability to perform and apply arithmetic calculations.

[LAC3] (b) Within ~~2- years of initial registration as a pharmacy technician and within 6 months after initial employment or~~ [SM4] ~~prior to changing the taking on any new~~ [SM5] duties and responsibilities of a registered pharmacy technician, it shall be the joint responsibility of the pharmacy and the pharmacist in charge to train the registered pharmacy technician or obtain proof of prior training in the areas listed in subsection (a) of this Section as they relate to the practice site or to document that the pharmacy technician is making appropriate progress.

(c) All pharmacies shall maintain an up-to-date training program policies and procedures describing the duties and responsibilities of a registered pharmacy technician and certified pharmacy technician.

(d) All pharmacies shall create and maintain retrievable records of training or proof of training as required in this Section.

(Source: P.A. 100-497, eff. 9-8-17.)

Pharmacy Practice Act Rules changes – Vaccinations/Immunizations

Section 1330.50 Vaccinations/Immunizations

a) Qualifications

- 1) A pharmacist, or student pharmacist or pharmacy technician under the direct supervision of a pharmacist, may administer vaccinations/immunizations to persons who are 14 years of age or older pursuant to a valid patient specific prescription or a standing order by a physician licensed to practice medicine in all of its branches under the Medical Practice Act of 1987 [225 ILCS 60].
- 2) A pharmacist, or student pharmacist or pharmacy technician under the direct supervision of a pharmacist, may administer influenza (inactivated influenza vaccine and live attenuated influenza intranasal vaccine) and Tdap (tetanus, diphtheria, acellular pertussis) vaccines/immunizations to persons who are 10 to 13 years of age pursuant to a valid patient specific prescription or a standing order by a physician licensed to practice medicine in all of its branches under the Medical Practice Act of 1987.
- 3) The pharmacist and pharmacy student shall successfully complete a course of training accredited by the Accreditation

Council on Pharmacy Education, or a similar health authority or professional body approved by the Division. The pharmacy technician shall successfully complete a course of training on the administration of vaccines approved by the Division prior to being delegated the task of administration of any vaccinations. The pharmacist has the sole responsibility of evaluating the appropriateness of each vaccination prior to its administration and maintains full responsibility and oversight of the process.

- 4) The pharmacist shall maintain a current Basic Life Support Certification for Healthcare Providers issued by the American Heart Association, the American Red Cross, the American Safety and Health Institute, or an equivalent as determined by the Division.
- 5) Each pharmacy, or pharmacist functioning outside of a pharmacy, shall have available a current copy or electronic version of the CDC reference "Epidemiology and Prevention of Vaccine – Preventable Diseases" at the location where vaccinations are administered.
- 6) The administration of vaccines shall be done by a pharmacist, ~~or~~ student pharmacist, or pharmacy technician under the direct supervision of a pharmacist.

b) Protocols, Policies and Procedures

- 1) Prior to administering vaccinations/immunizations, a pharmacist, ~~or~~ student pharmacist or pharmacy technician under the direct supervision of a pharmacist must follow protocols written by a physician licensed to practice medicine in all of its branches for the administration of vaccines and treatment of severe adverse events following administration of vaccines.
- 2) The pharmacy must maintain written policies and procedures for handling and disposal of all used supplies or contaminated equipment.
- 3) The pharmacist or student pharmacist under the direct supervision of a pharmacist must give the appropriate vaccine information statement (VIS) to the patient or legal representative

prior to each vaccination. The pharmacist or student pharmacist under the direct supervision of a pharmacist must ensure that the adult patient or minor (age 10 and older for influenza and Tdap, age 14 and older for all other vaccines) patient's parent or legal representative is available and has the vaccine information statement.

- 4) The pharmacy must report adverse events as required by the Vaccine Adverse Events Reporting System (VAERS) and to the primary care provider named by the patient.

c) Recordkeeping and Reporting

- 1) All records regarding each administration of a vaccine must be kept for 5 years. These records shall include:

- A) The name, address and date of birth of the patient.
- B) Date of administration and site of injection of the vaccine.
- C) Name, dose, manufacturer, lot number and beyond use date of the vaccine.
- D) Name and address of the patient's primary health care provider named by the patient.
- E) The name or unique identifier of the administering pharmacist.
- F) Which vaccine information statement (VIS) was provided.

- 2) A pharmacist who administers or oversees the administration of any vaccine must ensure that the report of that administration, within 30 days after the date of administration, to the patient's primary healthcare provider named by the patient is made to the primary healthcare provider named by the patient within 30 days of administration.

(Source: Amended at 39 Ill. Reg. 6267, effective April 23, 2015)

Pharmacy Practice Act Rules changes – Prescription Transfers

Section 1330.720 Transfer of Prescription

- a) A prescription may be transferred between pharmacies for the purpose of original fill or refill dispensing, provided that:
 - 1) The ~~pharmacist transferring~~transfer of the prescription invalidates the prescription on file and records ~~to~~from which pharmacy the prescription was transferred, the date of issuance of the copy and the name of the pharmacist, student pharmacist or registered pharmacy technician issuing the transferred prescription order; and
 - 2) The pharmacist, ~~or student pharmacist or registered pharmacy technician~~ receiving the transferred prescription directly from the other ~~pharmacist~~ pharmacy records the following:
 - A) The name, address and original prescription number of the pharmacy from which the prescription was transferred;
 - B) All information constituting a prescription order, including the following: name of the drug, original amount dispensed, date of original issuance of the prescription, and number of valid refills remaining; and
 - C) The pharmacist, student pharmacists or registered pharmacy technician receiving the transferred prescription informs the patient that the original prescription has been cancelled at the pharmacy from which it has been transferred.
- b) A prescription for Schedule III, IV and V drugs may be transferred only from the original pharmacy and only one time for the purpose of original fill or refill dispensing and may not be transferred further. However, a pharmacist who is electronically sharing real-time on-line computerized systems may transfer up to the maximum refills permitted by law and the prescriber's authorization in accordance with CFR 1306.26(a).
- c) Computerized systems must satisfy all information requirements of this Section, including invalidation of the original prescription when transferred between pharmacies accessing the same prescription records or between pharmacies of the same ownership. If those systems that access the same prescription records have the capability of cancelling the original prescription, pharmacies using such a system are exempt from the requirements of this subsection if the transferred prescription can always be tracked to the original prescription order from the prescribing practitioner and the original prescription can be produced.

- d) When prescription information is transferred to another pharmacy for the purposes of original fill, the transferring pharmacy must enter a prescription into its system as if that prescription were filled at that pharmacy.
- e) Nothing in this Section shall apply to transactions described in Section 20 of the Act.
- f) A prescription shall only be transferred upon the request or authorization of the person for whom the prescription was issued, except upon closure of a pharmacy, in which case notice shall be made to that person, orally or in writing, of the closure and the location where the prescription is transferred.

Controlled Substance Act Rules change regarding receipt of CS prescriptions via telephone

Section 3100.370 Persons Entitled to Issue Prescriptions

- a) A prescription for a controlled substance may be issued only by an individual practitioner who:
 - 1) Holds an active professional license in Illinois as an individual practitioner; and
 - 2) Holds an active controlled substances license under the Act or is exempted from licensure pursuant to Section 3100.80.
- b) A prescription issued by an individual practitioner may be communicated to a pharmacist, student pharmacist or pharmacy technician by an employee or agent of the individual practitioner pursuant to the directions and order of that practitioner in conformance with Section 312 of the Act.

(Source: Amended at 39 Ill. Reg. 3656, effective February 27, 2015)