

## PHARMACY WORK CONDITIONS – TWELVE HOUR WORK DAY

### Subpart 1.

#### Limitation on continuous hours worked.

A pharmacy licensed under Illinois Statutes, 225 ILCS 85/15, which is located within Illinois, shall not require a pharmacist, student pharmacist, or pharmacy technician to work longer than 12 continuous hours per day, inclusive of the breaks required under subpart 2.

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### Subp. 2.

#### Requirements for breaks.

A. A pharmacist working longer than six continuous hours per day shall be allowed during that time period to take a 30-minute uninterrupted meal break and (1) 15-minute breaks. The pharmacist qualifies for an additional 15-minute break if working 12 continuous hours per day. No pharmacist shall be required to work longer than 5 continuous hours per day without the opportunity to take an uninterrupted meal break.

B. A pharmacy may, but is not required to, close when a pharmacist is on a break. If the pharmacy does not close, the pharmacist shall either remain within the licensed pharmacy or within the establishment in which the licensed pharmacy is located in order to be available for emergencies. In addition, the following apply:

(1) Pharmacy technicians, student pharmacist, and other supportive staff, authorized by the pharmacist on duty, may continue to perform duties as allowed under this chapter:

(2) No duties reserved to pharmacists and student pharmacist under any part of this chapter, or that require the professional judgment of a pharmacist, may be performed by pharmacy technicians or other supportive staff; and

(3) Only prescriptions that have received final verification by a pharmacist, may be dispensed while the pharmacist is on break; except that prescriptions that require counseling by a pharmacist, including all new prescriptions as defined in 1330.700 and those refill prescriptions for which a pharmacist has determined that counseling is necessary, may be dispensed only if the following conditions are met:

(a) The patient or other individual who is picking up the prescription on behalf of the patient, is told that the pharmacist is on a break and is offered the chance to wait until the pharmacist returns from break in order to receive counseling;

(b) If the patient or caregiver declines to wait, a telephone number at which the patient or a caregiver can be reached is obtained;

(c) After returning from the break, the pharmacist makes a reasonable effort to contact the patient or a caregiver and provide counseling; and

(d) The pharmacist documents the counseling that was provided or documents why counseling was not provided after a minimum of two attempts, including a description of the efforts made to contact the patient or caregiver. The documentation shall be retained by the pharmacy, and be made available for inspection by the board or its authorized representatives, for a period of at least two years.

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C. In pharmacies staffed by two or more pharmacists, the pharmacists shall stagger breaks so that at least one pharmacist remains on duty at all times that the pharmacy remains open for the transaction of business.

D. The Employer shall keep and maintain a complete and accurate record of the daily break periods of its pharmacists.

Subp. 3.

**Exceptions for emergencies.**

Subpart 1 and subpart 2, item A, shall not apply in the event that an emergency, as deemed by the professional judgment of the pharmacist, necessitates that a pharmacist, student pharmacist, or pharmacy technician work longer than 12 continuous hours, work without taking required meal breaks, or have a break interrupted in order to minimize immediate health risks for patients.