
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 418 Session of
2017

INTRODUCED BY RAFFERTY AND COSTA, FEBRUARY 27, 2017

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
FEBRUARY 27, 2017

AN ACT

1 Amending the act of September 27, 1961 (P.L.1700, No.699),
2 entitled "An act relating to the regulation of the practice
3 of pharmacy, including the sales, use and distribution of
4 drugs and devices at retail; and amending, revising,
5 consolidating and repealing certain laws relating thereto,"
6 further providing for definitions; and providing for pharmacy
7 technician and pharmacy technician trainee registration,
8 qualifications and supervision.

9 The General Assembly of the Commonwealth of Pennsylvania
10 hereby enacts as follows:

11 Section 1. Section 2 of the act of September 27, 1961
12 (P.L.1700, No.699), known as the Pharmacy Act, is amended by
13 adding clauses to read:

14 Section 2. Definitions.--As used in this act:

15 * * *

16 (20) "Pharmacy technician" means an individual who:

17 (i) is registered with the board as a pharmacy technician;

18 and

19 (ii) may assist in the practice of pharmacy under the direct

20 and immediate personal supervision of a licensed pharmacist

21 after meeting the requirements of this act and the regulations

1 promulgated under this act.

2 (21) "Pharmacy technician trainee" means an individual who
3 has been issued a temporary permit by the board that authorizes
4 the individual to perform the duties of a pharmacy technician
5 under the direct and immediate personal supervision of a
6 licensed pharmacist.

7 (22) "Direct and immediate personal supervision" means:

8 (i) review by the pharmacist of the prescription or drug
9 order prior to dispensing;

10 (ii) verification by the pharmacist of the final product;
11 and

12 (iii) immediate availability of the pharmacist on the
13 premises to direct the work of the supervised individual and to
14 respond to questions or problems.

15 Section 2. The act is amended by adding a section to read:

16 Section 3.3. Pharmacy Technician and Pharmacy Technician
17 Trainee Registration, Qualifications and Supervision.--(a) A
18 pharmacy technician shall register with the board biennially on
19 a form prescribed by the board and pay a registration fee
20 established by the board by regulation. An individual must
21 possess an unrestricted registration from the board to practice
22 as a pharmacy technician. The following shall apply:

23 (1) A pharmacy technician shall be responsible to and under
24 the direct and immediate personal supervision of a board-
25 licensed pharmacist.

26 (2) A registration for a pharmacy technician may not be
27 issued if the applicant is unfit or unable to practice under
28 section 3(a)(2) or has been convicted of an offense described
29 under section 3(a)(6) in this Commonwealth or another state.

30 (3) An applicant for pharmacy technician registration shall

1 meet the following requirements:

2 (i) Be at least seventeen years of age and possess a high
3 school diploma or equivalent.

4 (ii) Complete a board-approved pharmacy technician training
5 program.

6 (iii) Submit to a criminal history record check as required
7 by the board.

8 (4) An individual currently practicing as a pharmacy
9 technician on or before the effective date of this section shall
10 not be required to comply with clause (3)(i) or (ii).

11 (5) The board shall renew, revoke or suspend the
12 registration of pharmacy technicians under regulations
13 promulgated by the board. This clause is subject to 2 Pa.C.S.
14 Chs. 5 Subch. A (relating to practice and procedure of
15 Commonwealth agencies) and 7 Subch. A (relating to judicial
16 review of Commonwealth agency action).

17 (6) Except as provided for in clause (7), or unless ordered
18 to do so by a court of proper jurisdiction, the board may not
19 reinstate the registration of an individual whose registration
20 to practice as a pharmacy technician has been revoked or if the
21 individual is unfit or unable to practice under section 3(a)(2)
22 or has been convicted of an offense described under section 3(a)
23 (6).

24 (7) If an individual desires to practice after revocation,
25 the individual must apply for registration after the lapse of a
26 five-year period and in accordance with this section and
27 regulations.

28 (8) A pharmacy technician shall wear a name tag that clearly
29 identifies the pharmacy technician's first name with the title
30 "Registered Pharmacy Technician."

1 (b) Upon the submission of a board-approved written
2 application and fee, the board may issue a temporary permit to
3 practice as a pharmacy technician trainee. The following shall
4 apply:

5 (1) A pharmacy technician trainee shall be responsible to
6 and under the direct and immediate personal supervision of a
7 board-licensed pharmacist.

8 (2) A registration for a pharmacy technician trainee may not
9 be issued if the applicant is unfit or unable to practice under
10 section 3(a)(2) or has been convicted of an offense described
11 under section 3(a)(6) in this Commonwealth or another state.

12 (3) An applicant for pharmacy technician trainee
13 registration shall meet the following requirements:

14 (i) Be at least sixteen years of age.

15 (ii) Submit to a criminal history record check as required
16 by the board.

17 (4) The board shall issue only one temporary permit to an
18 applicant and the temporary permit shall expire one year after
19 the date of issue and may be renewed for one additional year.

20 (5) Upon expiration of the temporary permit, the applicant
21 shall promptly return the permit to the board.

22 (6) A pharmacy technician trainee shall wear a name tag that
23 clearly identifies the pharmacy technician trainee's first name
24 with the title "Pharmacy Technician Trainee."

25 Section 3. No person is required to register as a pharmacy
26 technician under section 3.3 of the act until one year after the
27 State Board of Pharmacy has promulgated final regulations.

28 Section 4. Within 18 months of the effective date of this
29 section, the State Board of Pharmacy shall promulgate final
30 regulations to implement this act.

1 Section 5. This act shall take effect in 60 days.