

## The New York State Council of Health-system Pharmacists

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### Pharmacy Technician Registration, Certification and Clarification of Duties A8319 (Romeo)/S5162 (Stavisky)

**Fact Sheet**  
July 1st, 2019

#### **Compelling Need for Legislative Action:**

- In September 2018, the NYS Education Department (NYSED) started to no longer recognize long-standing guidance and practice regarding the use of pharmacy technicians in sterile and non-sterile admixture (e.g. compounding). Their interpretation of the regulation was based on a plain language reading, which state that unlicensed persons cannot “measure, weigh, compound or mix ingredients”. This caused a crisis for many of our members, including having to remove technicians from sterile compounding and replacing them with pharmacists.
- NYSCHP worked with GNYHA, HANYS, 1199 and PTCB to mobilize a coalition response to this crisis and worked with the NYS legislature to get S6517/A8319 passed, which defines the practice of registered pharmacy technicians in hospitals/health-systems. This bill will improve medication safety by creating competency and training standards and eliminates the ambiguity of the previous regulatory framework. It will eventual require licensure/registration for technicians who compound in hospitals/health-systems.

#### **What this Legislation does:**

- **Create professional title/license of Registered Pharmacy Technician**
  - Definition and title to exist under the Department of Education and bill defines in statute what a Registered Pharmacy Technician can do, including compounding, which will solve the crisis and resolve the ambiguity of previous guidance vs. regulation
  - “Assist pharmacist, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders or in compounding, preparing, and labeling in anticipation of a valid prescription or medication order for a patient to be served by the facility...where such tasks require no professional judgment.”
  - Registered Pharmacy Technician will be able to do the above **plus** what unlicensed persons can currently do (typing labels, entering Rx data, getting drugs from stock, counting dosage units, etc)
- **Requirements for Registered Pharmacy Technician**
  - 18 years or older
  - High School Degree or equivalent
  - National certification (NHA, PTCB)
  - Have undergone site-specific training
  - Supervision by a pharmacist and all compounds must be checked by a pharmacist
- **Defines Registered Pharmacy Technician practice solely in Article 28’s (hospitals and health-systems)**
  - Community pharmacy technicians would still unlicensed persons for now; cannot “*compound*”
- **Sets new ratio of 1 Registered Pharmacy Technician**
  - Up to 4 total individuals, of which no more than 2 may be Registered Pharmacy Technicians

- Can do 1 Pharmacist: 4 unlicensed persons, for example
  - This is applicable for all locations; Registered Pharmacy Technician would only apply to article 28's
- **Requirements for Registered Pharmacy Technician licensure**
  - High School Diploma/equivalent, national certification (NHA/PTCB), 18 years old, fee; no grandparenting
- **Board of Pharmacy changes**
  - Two Registered Pharmacy Technicians will join the Board of Pharmacy; some other technical changes
- **Implementation**
  - Goes into effect in 18 months

**Support:**

- New York State Council of Health-system Pharmacists (NYSCHP), Greater New York Hospital Association (GNYHA), 1199 SEIU (United Healthcare Workers East), Healthcare Association of New York State (HANYS)