

Senate Study Bill 1034

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
PUBLIC HEALTH/BOARD OF
PHARMACY EXAMINERS BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the practice of pharmacy and the registration
2 of pharmacy technicians.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1090DP 82
5 jr/gg/14

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1 1 Section 1. Section 155A.3, subsection 32, Code 2007, is
1 2 amended to read as follows:

1 3 32. "Practice of pharmacy" is a dynamic patient-oriented
1 4 health service profession that applies a scientific body of
1 5 knowledge to improve and promote patient health by means of
1 6 appropriate drug use, ~~and~~ related drug therapy, ~~and the~~
1 7 ~~provision of those acts or services necessary to provide~~
1 8 ~~pharmaceutical care in all areas of patient care.~~

1 9 Sec. 2. Section 155A.6, Code 2007, is amended to read as
1 10 follows:

1 11 155A.6 PHARMACIST INTERNSHIP PROGRAM ~~AND PHARMACY~~
~~1 12 TECHNICIAN REGISTRATION.~~

1 13 1. A program of pharmacist internships is established.
1 14 Each internship is subject to approval by the board.

1 15 2. A person desiring to be a pharmacist-intern in this
1 16 state shall apply to the board for registration. The
1 17 application must be on a form prescribed by the board. A
1 18 pharmacist-intern shall be registered during internship
1 19 training and thereafter pursuant to rules adopted by the
1 20 board.

1 21 3. The board shall establish standards for
1 22 pharmacist-intern registration and may deny, suspend, or
1 23 revoke a pharmacist-intern registration for failure to meet
1 24 the standards or for any violation of the laws of this state,
1 25 another state, or the United States relating to prescription
1 26 drugs, controlled substances, or nonprescription drugs, or for
1 27 any violation of this chapter or chapter 124, 124A, 124B, 126,
1 28 147, or 205, or any rule of the board.

1 29 4. The board shall adopt rules in accordance with chapter
1 30 17A on matters pertaining to pharmacist-intern registration
1 31 standards, registration fees, conditions of registration,
1 32 termination of registration, and approval of preceptors.

~~1 33 5. A registration program for pharmacy technicians is
1 34 established for the purposes of identification, tracking, and
1 35 disciplinary action for the violation of federal drug laws or
2 1 regulations, state drug or pharmacy laws, or board rules by
2 2 pharmacy technicians. The registration shall not include any
2 3 determination of the competency of the registered individual
2 4 and, notwithstanding section 272C.2, subsection 1, shall not
2 5 require continuing education for renewal. The ultimate
2 6 responsibility for the actions of a pharmacy technician
2 7 working under a licensed pharmacist's supervision shall remain
2 8 with the licensed pharmacist.~~

~~2 9 6. A person who is or desires to be a pharmacy technician
2 10 in this state shall apply to the board for registration. The
2 11 application must be submitted on a form prescribed by the
2 12 board. A pharmacy technician must be registered pursuant to
2 13 rules adopted by the board.~~

~~2 14 7. The board may deny, suspend, or revoke a pharmacy
2 15 technician registration for any violation of the laws of this
2 16 state, another state, or the United States relating to
2 17 prescription drugs, controlled substances, or nonprescription
2 18 drugs, or for any violation of this chapter or chapter 124,~~

2 19 124A, 124B, 126, 147, or 205, or any rule of the board.
2 20 8. ~~The board shall adopt rules in accordance with chapter~~
~~2 21 17A on matters pertaining to pharmacy technician registration~~
~~2 22 applications, renewals, fees, termination of registration, and~~
~~2 23 any other relevant matters.~~

2 24 Sec. 3. NEW SECTION. 155A.6A PHARMACY TECHNICIAN
2 25 REGISTRATION.

2 26 1. A registration program for pharmacy technicians is
2 27 established for the purpose of establishing technician
2 28 competency and for the purposes of identification, tracking,
2 29 and disciplinary action for the violation of federal drug laws
2 30 or regulations, state drug or pharmacy laws, or board rules.
2 31 The ultimate responsibility for the actions of a pharmacy
2 32 technician working under a licensed pharmacist's supervision
2 33 shall remain with the licensed pharmacist.

2 34 2. A person who is or desires to be a pharmacy technician
2 35 in this state shall apply to the board for registration. The
3 1 application shall be submitted on a form prescribed by the
3 2 board. A pharmacy technician must be registered pursuant to
3 3 rules adopted by the board. Except as provided in subsection
3 4 3, beginning July 1, 2010, all applicants for a new pharmacy
3 5 technician registration or for a pharmacy technician renewal
3 6 shall provide proof of current certification by a national
3 7 technician certification authority approved by the board.
3 8 Notwithstanding section 272C.2, subsection 1, a pharmacy
3 9 technician registration shall not require continuing education
3 10 for renewal.

3 11 3. Beginning July 1, 2009, a person who is in the process
3 12 of acquiring national certification as a pharmacy technician
3 13 and who is in training to become a pharmacy technician shall
3 14 register with the board as a pharmacy technician. The
3 15 registration shall be issued for a period not to exceed one
3 16 year and shall not be renewable.

3 17 4. The board shall adopt rules in accordance with chapter
3 18 17A on matters pertaining to pharmacy technician registration,
3 19 application, forms, renewals, fees, termination of
3 20 registration, national certification, training, and any other
3 21 relevant matters.

3 22 5. The board may deny, suspend, or revoke the registration
3 23 of, or otherwise discipline, a registered pharmacy technician
3 24 for any violation of the laws of this state, another state, or
3 25 the United States relating to prescription drugs, controlled
3 26 substances, or nonprescription drugs, or for any violation of
3 27 this chapter or chapter 124, 124A, 124B, 126, 147, 205, or
3 28 272C, or any rule of the board.

3 29 EXPLANATION

3 30 This bill establishes a pharmacy technician registration
3 31 program to include certification by a national certification
3 32 authority approved by the board. The board currently
3 33 registers pharmacy technicians for the purposes of
3 34 registration, tracking, and disciplinary action, without
3 35 recognition or identification of an individual's competency or
4 1 level of training. The bill rescinds provisions regarding the
4 2 current pharmacy technician registration program and
4 3 establishes a new registration program that requires
4 4 certification of all pharmacy technicians beginning July 1,
4 5 2010.

4 6 The bill also amends the definition of the practice of
4 7 pharmacy to include acts and services provided by pharmacists
4 8 in the course of providing pharmaceutical care to the
4 9 pharmacist's patients.

4 10 LSB 1090DP 82

4 11 jr:rj/gg/14.1