Rule Summary and Fiscal Analysis
Part A - General Questions

Rule Number: 4729:3-3-01

Rule Type: No Change

Rule Title/Tagline: Pharmacy technician trainees.

Agency Name: State Board of Pharmacy

Division: Pharmacy Technicians

Address: 77 South High St. 17th floor Columbus OH 43215

Contact: Alexandra Simon **Phone:** 614-502-7161

Email: Alexandra.Simon@pharmacy.ohio.gov

I. Rule Summary

1. **Is this a five year rule review?** Yes

   A. **What is the rule's five year review date?** 4/27/2021 and 04/27/2026

2. **Is this rule the result of recent legislation?** Yes

   A. **If so, what is the bill number, General Assembly and Sponsor?** SB 319 - 131 - Eklund

3. **What statute is this rule being promulgated under?** 119.03

4. **What statute(s) grant rule writing authority?** 4729.94, 4729.26

5. **What statute(s) does the rule implement or amplify?** 4729.90, 4729.901, 4729.91, 4729.92, 4729.921, 4729.93, 4729.94, 4729.95, 4729.96

6. **What are the reasons for proposing the rule?**

   Without this regulation, the State of Ohio Board of Pharmacy would not be able to provide uniform requirements for pharmacy technicians.

7. **Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.**

   Establishes the activities pharmacy technician trainees may perform.

8. **Does the rule incorporate material by reference?** Yes

9. **If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75, please explain the basis for the exemption and how an individual can find the referenced material.**

   This rule references the Ohio Administrative Code. The O.A.C. is generally available in libraries and on the internet to persons who reasonably can be expected to be affected by the rule.

10. **If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.**

    Not Applicable

II. Fiscal Analysis

11. **Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.**

    This will have no impact on revenues or expenditures.

    0

    Not applicable.

12. **What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?**

    The rule restricts the number of technician trainees that can be supervised by a pharmacist at one time. Thus, a pharmacy that has more than three technician trainees may incur additional costs to ensure another pharmacist is on-site to provide supervision (unless otherwise approved by the Board).

13. **Does the rule increase local government costs? (If yes, you must complete an RSFA Part B).** No

14. **Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C).** No

15. **If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.**

Not applicable.

III. Common Sense Initiative (CSI) Questions

16. **Was this rule filed with the Common Sense Initiative Office?** Yes

17. **Does this rule have an adverse impact on business?** Yes

    A. **Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business?** No

    B. **Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms?** Yes

    Violation of this rule may result in administrative licensure discipline for a pharmacist, pharmacy intern, pharmacy technician (including trainee) and terminal/wholesale distributors of dangerous drugs. Discipline might include reprimand, denial of a license, suspension of a license, required course work (pharmacists/interns), monetary fine and/or revocation of a license.

    C. **Does this rule require specific expenditures or the report of information as a condition of compliance?** No

    D. **Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies?** Yes

    The rule restricts the number of technician trainees that can be supervised by a pharmacist at one time. Thus, a pharmacy that has more than three technician trainees may incur additional costs to ensure another pharmacist is on-site to provide supervision (unless otherwise approved by the Board).