Rule Summary and Fiscal Analysis
Part A - General Questions

Rule Number: 4729:3-3-01

Rule Type: Amendment

Rule Title/ Tagline: Pharmacy technician trainees.

Agency Name: State Board of Pharmacy

Division: Pharmacy Technicians

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I. Rule Summary

1. **Is this a five year rule review?** Yes
   - A. **What is the rule's five year review date?** 5/19/2026
2. **Is this rule the result of recent legislation?** No
3. **What statute is this rule being promulgated under?** 119.03
4. **What statute(s) grant rule writing authority?** 729.26, 4729.94
5. **What statute(s) does the rule implement or amplify?** 4729.90, 4729.96, 4729.95, 4729.94, 4729.93, 4729.921, 4729.92, 4729.91, 4729.901
6. **Does the rule implement a federal law or rule in a manner that is more stringent or burdensome than the federal law or regulation requires?** No
   - A. **If so, what is the citation to the federal law or rule?** Not Applicable
7. **What are the reasons for proposing the rule?**

   Section 4729.26 of the Ohio Revised Code authorizes the Board of Pharmacy to adopt rules governing the practice of pharmacy and distribution of dangerous drugs.

Section 4729.94 of the Ohio Revised Code requires the Board of Pharmacy to adopt rules governing the registration and scope of practice of registered pharmacy technicians, certified pharmacy technicians, and pharmacy technician trainees.

8. **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. Adds stocking an automated drug storage system to the list of activities.

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

10. **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. Ohio Revised Code Sections 121.75 and 121.76 exempts these texts from inclusion in this filing.

11. **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

12. **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.

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    Not Applicable.

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

    This rule restricts the number of technician trainees that can be supervised by a pharmacist at one time. Thus, a pharmacy that has more than two technician

trainees may incur additional costs to ensure another pharmacist is on-site to provide supervision. It should be noted that the expansion of the trainee's scope of practice under the rule was already authorized under a Board resolution issued during the COVID-19 pandemic.

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

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

16. **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

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

18. **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

       In general, violation of these rules may result in administrative discipline for a licensee. Discipline might include reprimand, denial of a license, suspension of a license, required coursework, 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

A pharmacy that has more than two technician trainees may incur additional costs to ensure another pharmacist is on-site to provide supervision. It should be noted that the expansion of the trainee's scope of practice under the rule was already authorized under a Board resolution issued during the COVID-19 pandemic.

IV. Regulatory Restriction Requirements under S.B. 9. Note: This section only applies to agencies described in R.C. 121.95(A).

19. Are you adding a new or removing an existing regulatory restriction as defined in R.C. 121.95? No

A. How many new regulatory restrictions do you propose adding to this rule?

Not Applicable

B. How many existing regulatory restrictions do you propose removing from this rule?

Not Applicable

C. If you are not removing existing regulatory restrictions from this rule, please list the rule number(s) from which you are removing restrictions.

Not Applicable

D. Please justify the adoption of the new regulatory restriction(s).

Not Applicable