Rule Summary and Fiscal Analysis
Part A - General Questions

Rule Number: 4729:3-3-04

Rule Type: Amendment

Rule Title/Tagline: Certified pharmacy technicians.

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
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?** 4729.26, 4729.10, 4729.94
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?**

   Establishes the activities certified pharmacy technicians may perform. This rule is being proposed to amend pharmacy technician standards. 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 certified pharmacy technicians may perform. The rule is amended to clarify that a technician can enter data directly into computerized record keeping system and adds remote order entry as an activity a certified pharmacy technician 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 United States Pharmacopeia (U.S.P.) and the Ohio Administrative Code (O.A.C.). The U.S.P. is a generally accepted industry standard for compounding drugs. The U.S.P. and the O.A.C. are generally available in libraries and on the internet to persons who reasonably can be expected to be affected by the rule. U.S.P. is also a required reference for compounding pharmacies.

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?**

    There may be costs associated with compliance. Requires completion of compounding training before engaging in drug compounding. Requires completion of hazardous drug handling training before handling hazardous drugs. This is unchanged from the current rule's requirements.

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?** Yes

    Requires completion of compounding training before engaging in drug compounding. Requires completion of hazardous drug handling training before handling hazardous drugs. This is unchanged from the current rule's requirements.

    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 the rule may result in administrative licensure discipline for a pharmacy technician. Discipline might include reprimand, suspension of a license, required course work, monetary penalty and/or revocation of a license.

    C. **Does this rule require specific expenditures or the report of information as a condition of compliance?** Yes

    There is no monetary cost to submit a change of contact information to the Board. However, the process will require the submission of a form that may take an estimated five minutes to complete. This is unchanged from the current rule's requirements.

    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?** No

IV. Regulatory Restrictions (This section only applies to agencies indicated in R.C. 121.95 (A))

18. 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?

Not Applicable

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

Not Applicable