7/12/2017

The following information is being provided pursuant to the requirements of Executive Order 2011-01K and Senate Bill 2 of the 129th General Assembly, which require state agencies, including the State of Ohio Board of Pharmacy, to draft rules in collaboration with stakeholders, assess and justify an adverse impact on the business community (as defined by S.B. 2), and provide an opportunity for the affected public to provide input on the following rules.

New

- 4729:3-1-01: Definition section for the division of the OAC pertaining to the registration of pharmacy technicians.
- 4729:3-2-01: Establishes procedure for those seeking registration as a pharmacy technician trainee, registered pharmacy technician, or certified pharmacy technician.
- 4729:3-2-02: Establishes criminal records check requirements for those seeking registration as a pharmacy technician trainee, registered pharmacy technician or certified pharmacy technician.
- 4729:3-2-03: Establishes renewal procedure for registered pharmacy technicians and certified pharmacy technicians.
- 4729:3-2-04: Establishes reporting requirements for those with a change of name, contact information or place of employment.
- 4729:3-2-05: Establishes minimum scores for completion of the Test of English as a Foreign Language, Internet-based test.
- 4729:3-3-01: Establishes the activities pharmacy technician trainees may perform.
- 4729:3-3-02: Establishes standards for pharmacy technician training programs.
- 4729:3-3-03: Establishes the activities registered pharmacy technicians may perform.
- 4729:3-3-04: Establishes the activities certified pharmacy technicians may perform.
- 4729:3-3-05: Establishes the requirements of a pharmacy technician trainee, registered pharmacy technician or certified pharmacy technician to report a violation to the Board of Pharmacy.
- 4729:3-4-01: Establishes the Board of Pharmacy's authority to impose disciplinary actions on a pharmacy technician trainee, registered pharmacy technician or certified pharmacy technician.
- 4729:3-5-01: Establishes continuing education requirements for registered pharmacy technicians and certified pharmacy technicians seeking to renew their certificate of registration.

Rescinded

- Chapter 4729-4: Rules pertaining to qualified pharmacy technicians.

Comments on the proposed rules will be accepted until close of business on July 28, 2017. Please send all comments to the following email address:
Cameron.mcnamee@pharmacy.ohio.gov

In addition, please copy your comments to:
CSIPublicComments@governor.ohio.gov

CSI - Ohio
The Common Sense Initiative

Business Impact Analysis

Agency Name: State of Ohio Board of Pharmacy

Regulation/Package Title: Pharmacy technicians

Rule Number(s): New: 4729:3-1-01; 4729:3-2-01; 4729:3-2-02; 4729-3-2-03; 4729:3-2-04; 4729:3-2-05; 4729:3-3-01; 4729:3-3-02; 4729:3-3-03; 4729:3-3-04; 4729:3-3-05; 4729-3-4-01; 4729:3-5-01

Rescinded: 4729-4

Date: 7/12/2017

Rule Type:

New	5-Year Review
Amended	**Rescinded**

The Common Sense Initiative was established by Executive Order 2011-01K and placed within the Office of the Lieutenant Governor. Under the CSI Initiative, agencies should balance the critical objectives of all regulations with the costs of compliance by the regulated parties. Agencies should promote transparency, consistency, predictability, and flexibility in regulatory activities. Agencies should prioritize compliance over punishment, and to that end, should utilize plain language in the development of regulations.

Regulatory Intent

1. Please briefly describe the draft regulation in plain language.

New

- 4729:3-1-01: Definition section for the division of the OAC pertaining to the registration of pharmacy technicians.

- 4729:3-2-01: Establishes procedure for those seeking registration as a pharmacy technician trainee, registered pharmacy technician, or certified pharmacy technician.
- 4729:3-2-02: Establishes criminal records check requirements for those seeking registration as a pharmacy technician trainee, registered pharmacy technician or certified pharmacy technician.
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- 4729:3-3-02: Establishes standards for pharmacy technician training programs.
- 4729:3-3-03: Establishes the activities registered pharmacy technicians may perform.
- 4729:3-3-04: Establishes the activities certified pharmacy technicians may perform.
- 4729:3-3-05: Establishes the requirements of a pharmacy technician trainee, registered pharmacy technician or certified pharmacy technician to report a violation to the Board of Pharmacy.
- 4729:3-4-01: Establishes the Board of Pharmacy's authority to impose disciplinary actions on a pharmacy technician trainee, registered pharmacy technician or certified pharmacy technician.
- 4729:3-5-01: Establishes continuing education requirements for registered pharmacy technicians and certified pharmacy technicians seeking to renew their certificate of registration.

Rescinded

- Chapter 4729-4: Rules pertaining to qualified pharmacy technicians.

2. Please list the Ohio statute authorizing the Agency to adopt this regulation.

The proposed rules are authorized by sections 4729.26, 4729.94 and 4776.03 of the Ohio Revised Code.

3. **Does the regulation implement a federal requirement? Is the proposed regulation being adopted or amended to enable the state to obtain or maintain approval to administer and enforce a federal law or to participate in a federal program?**

These rules do not implement a federal requirement.

4. **If the regulation includes provisions not specifically required by the federal government, please explain the rationale for exceeding the federal requirement.**

This rule package exceeds federal requirements because the regulation of the practice of pharmacy has traditionally been done at the state level by legislatively created state boards of pharmacy. The regulation of the pharmacy practice includes valid requirements for licensure as a pharmacy technician trainee, registered pharmacy technician, or certified pharmacy technician.

5. **What is the public purpose for this regulation (i.e., why does the Agency feel that there needs to be any regulation in this area at all)?**

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 registration of registered pharmacy technicians, certified pharmacy technicians, and pharmacy technician trainees.

Section 4776.03 of the Ohio Revised Code authorizes the Board of Pharmacy to adopt rules establishing administrative and procedural requirements for criminal records checks.

6. **How will the Agency measure the success of this regulation in terms of outputs and/or outcomes?**

The success of the regulations will be measured by having rules written in plain language, licensee compliance with the rules, and minimal questions from licensees regarding the provisions of the rules.

Development of the Regulation

7. **Please list the stakeholders included by the Agency in the development or initial review of the draft regulation.**

The rules in this package were reviewed by the Board's Rules Review Committee. The Committee, composed of pharmacists from a number of practice settings, is responsible for reviewing and approving all new rules and rules prior to their legislatively mandated five-year review date.

Prior to filing with CSI, the rules were also reviewed and approved by the Board of Pharmacy.

8. What input was provided by the stakeholders, and how did that input affect the draft regulation being proposed by the Agency?

For the proposed rules, the Board of Pharmacy Rules Review Committee reviewed the proposed rules. The Board incorporated the following feedback provided by the Committee:

- Clarified the responsibilities of support personnel who are not required to be registered as pharmacy technicians.
- Added training and education programs that were non-employer based (i.e. programs that are ACPE and AHSP accredited).
- Adding a program director for all employer based programs (to not rely solely on the responsible person for verification of training).
- Removed the out-of-state requirement for veterans who are requesting to renew late due to active duty service.
- Reduced the number of didactic training hours.
- Reduced the number of practical experience training hours.
- Allows the transfer of non-compounding related training for employees of the same the company.

9. What scientific data was used to develop the rule or the measurable outcomes of the rule? How does this data support the regulation being proposed?

Scientific data was not used to develop or review this rule.

10. What alternative regulations (or specific provisions within the regulation) did the Agency consider, and why did it determine that these alternatives were not appropriate? If none, why didn't the Agency consider regulatory alternatives?

As the regulations are essential to protecting the public's safety by ensuring uniform standards for licensure of pharmacy technician trainees, registered pharmacy technicians, and certified pharmacy technicians, the State of Ohio Board of Pharmacy did not consider any regulatory

alternatives. However, the Board has proposed several different avenues for pharmacy technicians to receive the required training.

11. Did the Agency specifically consider a performance-based regulation? Please explain. Performance-*based regulations define the required outcome, but don't dictate the process* the regulated stakeholders must use to achieve compliance.

The agency did not consider a performance-based regulation for this rule package. It is the Board's responsibility to ensure uniform regulations across Ohio. At this juncture, it was the determination of the Board that the rule package did not lend itself to performance-based regulations.

12. What measures did the Agency take to ensure that this regulation does not duplicate an existing Ohio regulation?

The Board of Pharmacy's Director of Policy and Communications reviewed the proposed rules to ensure that the regulations do not duplicate another State of Ohio Board of Pharmacy regulation.

13. Please describe the Agency's plan for implementation of the regulation, including any measures to ensure that the regulation is applied consistently and predictably for the regulated community.

The rules will be posted on the Board of Pharmacy's web site, information concerning the rules will be included in materials e-mailed to licensees, and notices will be sent to associations, individuals and groups. Board of Pharmacy staff are also available via phone or email to answer questions regarding implementation of the rules. In addition, the Board's compliance agents are trained to educate licensees on current and/or new regulations during on-site inspections.

Board of Pharmacy staff receive regular updates on rules via a monthly internal newsletter, biannual staff meetings featuring a regulatory update, mandatory all-day law reviews for new employees, email updates, webinars from the Director of Policy and Communications and feedback from the Board's legal department for every citation submitted.

Adverse Impact to Business

14. Provide a summary of the estimated cost of compliance with the rule. Specifically, please do the following:

a. Identify the scope of the impacted business community;

The rule package impacts the following:

- Qualified pharmacy technicians;
- Pharmacy technician trainees;
- Registered pharmacy technicians;
- Certified pharmacy technicians;
- Terminal distributors of dangerous drugs; and
- Pharmacists.

b. Identify the nature of the adverse impact (e.g., license fees, fines, employer time for compliance); and

Violation of these rules may result in administrative licensure discipline for a pharmacist, pharmacy technician or terminal distributor of dangerous drugs. Discipline might include reprimand, suspension of a license, monetary fine and/or revocation of a license.

c. Quantify the expected adverse impact from the regulation.

New

- 4729:3-1-01: This is a definition section and should have no expected adverse impact.
- 4729:3-2-01: The cost of registration is $25 dollars for pharmacy technician trainees and $50 for certified and registered pharmacy technicians. The rule also requires the applicant to submit to a criminal records check. The cost of a criminal records check (BCI&I/FBI) includes the following fees: BCI&I - $22, FBI - $24, and some agencies may charge a processing fee (e.g. $5-$40). Furthermore, the rule requires certified technicians to submit documentation that they are nationally certified. National certification costs between $115 - $129 for the initial certification examination. The rule also requires foreign students to take the TOEFL IBT. The cost of this test varies by country but can cost up to $180.
- 4729:3-2-02: Requires submission of criminal records checks for applicants. The cost of a criminal records check (BCI&I/FBI) includes the following fees: BCI&I - $22, FBI - $24, and some agencies may charge a processing fee (e.g. $5-$40).
- 4729:3-2-03: The cost of renewal (two-year license) is $50 for certified pharmacy technicians and registered pharmacy technicians.
- 4729:3-2-04: 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.
- 4729:3-2-05: This rule provides minimum scores and does not have a cost of compliance.

- 4729:3-3-01: 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 two technician trainees may incur additional costs to ensure another pharmacist is on-site to provide supervision.
- 4729:3-3-02: A pharmacy technician trainee may incur a cost of attending an American Society of Health-System Pharmacists/Accreditation Council for Pharmacy Education certified training program. Employers that choose to develop a training program will also incur costs associated with developing, implementing and assessing the program.
- 4729:3-3-03: An employer that engages in non-sterile compounding will have to provide additional training for registered technicians prior to engaging in non-sterile compounding.
- 4729:3-3-04: An employer that engages in sterile and non-sterile compounding will have to provide additional training for certified technicians prior to engaging in non-sterile compounding.
- 4729:3-3-05: This will require notification to the Board if a technician observes a violation specified in the rule. Notification can be performed online and will take approximately 10-20 minutes to complete.
- 4729:3-4-01: Violation of this section may result in administrative licensure discipline for a pharmacy technician. Discipline might include reprimand, suspension of a license, monetary fine ($500) and/or revocation of a license.
- 4729:3-5-01: Registered pharmacy technicians will have to obtain 20 hours of CE every two years. The cost of this rule will be the cost incurred by the technician to obtain CE. While CE cost varies, the Board and other providers do offer no-cost CEs to licensees.

Rescinded

- 4729-4: This chapter is being rescinded and should have no adverse impact.

15. Why did the Agency determine that the regulatory intent justifies the adverse impact to the regulated business community?

The Board determined that the regulatory intent justifies the impact on business because the regulations protect and promote public safety by ensuring uniform licensing and training standards of pharmacy technicians.

Regulatory Flexibility

16. Does the regulation provide any exemptions or alternative means of compliance for small businesses? Please explain.

These rules do not provide any exemptions or alternative means of compliance for small businesses. The law does not differentiate on the size of the business and therefore the regulation is uniform across Ohio.

17. How will the agency apply Ohio Revised Code section 119.14 (waiver of fines and penalties for paperwork violations and first-time offenders) into implementation of the regulation?

The State of Ohio Board of Pharmacy does not fine licensees or impose penalties for first-time paperwork violations. However, any failure of a standard of care is not considered a paperwork error but a quality assurance issue by the licensee/registrant that is necessary for the protection of the public.

18. What resources are available to assist small businesses with compliance of the regulation?

Board of Pharmacy staff is available by telephone and e-mail to answer questions. Board staff members also provide presentations to groups and associations who seek updates on current regulations. Additionally, staff are trained to educate licensees on compliance with all Board of Pharmacy rules and regulations.

Rescind Chapter 4729-4

4729:3-1-01 Definitions – Pharmacy Technicians

As used in Division 4729:3 of the Administrative Code:

(A) "Abandoned application" means an application for a registration pursuant to this division where the applicant fails to complete all application requirements within thirty days after being notified by the board. An applicant forfeits all fees associated with an abandoned application. The board shall not be required to act on any abandoned application and the application may be destroyed by board staff. If the application is abandoned, the applicant shall be required to reapply for registration, submit the required fee and comply with the registration requirements in effect at the time of reapplication.

(B) “Certified pharmacy technician” means a person who:

(1) Has completed an approved training program pursuant to rule 4729:3-3-03 of the Administrative Code or complies with the education and training requirements in division (E)(2) of section 4729.90 of the Revised Code;

(2) Is registered with the state board of pharmacy;

(3) Practices in this state in accordance with rule 4729:3-3-04 of the Administrative Code; and

(4) Maintains a current pharmacy technician certification from an organization that has been recognized by the board.

(C) "Compounding" has the same meaning as defined in division (C) of section 4729.01 of the Revised Code.

(D) “Current pharmacy technician certification from an organization that has been recognized by the board” pursuant to division (B)(2)(d) of section 4729.90 of the Revised Code means either:

(1) The ExCPT certification provided by the national healthcareer association; or

(2) The pharmacy technician certification board (PTCB) certification.

(E) “Direct supervision” means that a licensed pharmacist is:

(1) Except as provided for in rule 4729-17-07 of the Administrative Code, physically present in a facility licensed as a terminal distributor of dangerous drugs, licensed outsourcing facility, or in the area where the practice of pharmacy is occurring, and provide personal review and approval of all professional activities;

(2) Readily available to answer questions of the pharmacy technician trainee, registered pharmacy technician or certified pharmacy technician;

(3) Making appropriate in-process and end-process verifications of the activities of the pharmacy technician trainee, registered pharmacy technician or certified pharmacy technician; and

(4) Fully responsible for the practice of the pharmacy technician trainee, registered pharmacy technician or certified pharmacy technician.

(F) “Entering information into and retrieving information from a database or patient profile” as used in section 4729.91 of the Revised Code means to enter new or refill prescription information into a database or patient profile.

(G) “Good moral character” pursuant to division (B)(1)(c) of section 4729.90 of the Revised Code means those virtues of a person which are generally recognized as beneficial to the public health, safety and welfare, or a pattern of behavior conforming to a profession’s ethical standards and showing an absence of moral turpitude, it includes conduct contrary to justice, honesty, or morality.

(H) "In good standing" means a pharmacist to which all the following apply:

(1) Has not been denied the privilege of supervising interns or pharmacy technicians by the board;

(2) Has not been denied a license, registration or certificate by any public agency or licensing agency; and

(3) Does not have a license, registration or certificate limited, suspended, or revoked by any public agency or licensing agency.

(I) “Pharmacy technician trainee” means a person who:

(1) Intends to enroll or is enrolled in an approved training program pursuant to rule 4729:3-3-02 of the Administrative Code to obtain a registration as a registered or certified pharmacy technician;

(2) Is registered as a pharmacy technician trainee with the state board of pharmacy; and

(3) Practices in this state in accordance with rule 4729:3-3-01 of the Administrative Code.

(J) “Registered pharmacy technician” means a person who:

(1) Has completed an approved training program pursuant to rule 4729:3-3-03 of the Administrative Code or complies with the education and training requirements in division (E)(1) of section 4729.90 of the Revised Code;

(2) Is registered with the state board of pharmacy; and

(3) Practices in this state in accordance with rule 4729:3-3-03 of the Administrative Code.

(K) "Responsible person" has the same meaning as defined pursuant to Chapter 4729. Of the Administrative Code who is responsible for the practice of the profession of pharmacy, including, but not limited to, the supervision and control of dangerous drugs as required in division (B) of section 4729.55 of the Revised Code, adequate safeguards as required in division (C) of section 4729.55 of the Revised Code, security and control of dangerous drugs and maintaining all drug records otherwise required.

(L) "Support personnel" means an individual, employed or performing contracted services at a location licensed as a terminal distributor of dangerous drugs, trained to perform clerical duties associated with the practice of pharmacy, including pricing, cashiering, delivering, scheduling deliveries, answering non-professional telephone inquiries, transportation of dispensed medications within a hospital, documenting third-party reimbursement, or scheduling prescription refills.

(1) Except for those responsible for dangerous drug delivery, support personnel shall not have unsupervised access to dangerous drugs.

(2) Support personnel shall not perform the tasks of a pharmacist, pharmacy intern, certified pharmacy technician, registered pharmacy technician, or pharmacy technician trainee.

(3) Support personnel may have access to or retrieve information from a database or patient profile to perform clerical duties associated with the practice of pharmacy.

(4) The terminal distributor of dangerous drugs shall be responsible for ensuring all support personnel comply with state and federal requirements to ensure the confidentiality of patient health records.

(5) Support personnel shall not serve as a pharmacist's delegate pursuant to section 4729.80 of the Revised Code.

(6) Support personnel are not required to obtain licensure or registration under Chapter 4729. of the Ohio Revised Code.

(M) "Veteran" means anyone who is serving or has served under honorable conditions in any component of the armed forces, including the national guard and reserve.

4729:3-2-01 Registration – Registration Procedures

(A) An applicant for registration as a pharmacy technician trainee shall:

(1) Comply with all requirements set forth in section 4729.92 of the Revised Code.

(2) Comply with the criminal records check requirements pursuant to rule 4729:3-2-02 of the Administrative Code.

(3) Submit a complete application for registration, in a manner determined by the Board, that includes:

(a) The required application fee of twenty-five dollars;

(b) Documentation, as specified by the Board, that the applicant meets the following requirements:

(i) Has a high school diploma, a certificate of high school equivalence, a foreign school diploma that is equivalent to a U.S. high school diploma or has been employed continuously since prior to April 8, 2009, as a pharmacy technician without a high school diploma or certificate of high school equivalence;

(ii) Is at least eighteen years of age; and

(iii) If the applicant has a foreign school diploma that is equivalent to a U.S. high school diploma, the applicant shall submit evidence of successful completion of the "Test of English as a Foreign Language, Internet-based test" (TOEFL iBT) pursuant to rule 4729:3-2-05 of the Administrative Code.

(c) Any additional information or documentation as determined by the board.

(B) An applicant for registration as a registered pharmacy technician shall:

(1) Comply with all requirements set forth in section 4729.90 of the Revised Code.

(2) Complete an approved training program pursuant to rule 4729:3-3-02 or the education and training requirements set forth in division (E)(1) of section 4729.90 of the Revised Code.

(3) Comply with the criminal records check requirements pursuant to rule 4729:3-2-02 of the Administrative Code.

(4) Submit a complete application for registration, in a manner determined by the Board, that includes:

(a) The required application fee of fifty dollars;

(b) Except for applicants currently licensed as pharmacy technician trainees, documentation, as specified by the Board, that the applicant meets the following requirements:

(i) Has a high school diploma, a certificate of high school equivalence, a foreign school diploma that is equivalent to a U.S. high school diploma or has been employed continuously since prior to April 8, 2009, as a pharmacy technician without a high school diploma or certificate of high school equivalence;

(ii) Is at least eighteen years of age; and

(iii) If the applicant has a foreign school diploma that is equivalent to a U.S. high school diploma, the applicant shall submit evidence of successful completion of the "Test of English as a Foreign Language, Internet-based test" (TOEFL iBT) pursuant to rule 4729:3-2-05 of the Administrative Code.

(c) Any of the following documentation:

(i) An attestation signed by the pharmacy's responsible person where the applicant was educated and trained that the applicant has successfully completed the education and training requirements set forth in division (E)(1) of section 4729.90 of the Revised Code;

(ii) An attestation or certificate of completion signed by the program director that the applicant has successfully completed an approved training program as defined in paragraph (A)(1) to (2) of rule 4729:3-3-02 of the Administrative Code; or

(iii) A record of training and education pursuant to paragraph (B)(3) of rule 4729:3-3-02 signed by the program director and responsible person that the applicant has successfully completed an approved training program as defined in paragraph (A)(3) of rule 4729:3-3-02 of the Administrative Code.

(c) Any additional information or documentation as determined by the board.

(C) An applicant for registration as a certified pharmacy technician shall:

(1) Comply with all requirements set forth in section 4729.90 of the Revised Code.

(2) Complete an approved training program pursuant to rule 4729:3-3-02 or the education and training requirements set forth in division (E)(2) of section 4729.90 of the Revised Code.

(3) Comply with the criminal records check requirements pursuant to rule 4729:3-2-02 of the Administrative Code.

(4) Submit a complete application for registration, in a manner determined by the Board, that includes:

(a) The required application fee of fifty dollars;

(b) Documentation, as specified by the Board, that the applicant has a current pharmacy technician certification from an organization that has been recognized by the board.

(c) Except for applicants currently licensed as pharmacy technician trainees, documentation, as specified by the Board, that the applicant meets the following requirements:

(i) Possess a high school diploma, a certificate of high school equivalence or a foreign school diploma that is equivalent to a U.S. high school diploma;

(ii) Is at least eighteen years of age; and

(iii) If the applicant has a foreign school diploma that is equivalent to a U.S. high school diploma, the applicant shall submit evidence of successful completion of the "Test of English as a Foreign Language, Internet-based test" (TOEFL iBT) pursuant to rule 4729:3-2-05 of the Administrative Code.

(d) Any of the following documentation:

(i) An attestation signed by the pharmacy's responsible person where the applicant was educated and trained that the applicant has successfully completed the education and training requirements set forth in division (E)(2) of section 4729.90 of the Revised Code.

(ii) An attestation or certificate of completion signed by the program director that the applicant has successfully completed an approved training program as defined in paragraph (A)(1) to (2) of rule 4729:3-3-02 of the Administrative Code; or

(iii) A record of training and education pursuant to paragraph (B)(3) of rule 4729:3-3-02 signed by the program director and responsible person that the applicant has successfully completed an approved training program as defined in paragraph (A)(3) of rule 4729:3-3-02 of the Administrative Code.

(e) Any additional information or documentation as determined by the board.

(D) A registration for a pharmacy technician trainee is valid for one year from the date of registration. Registration is not renewable, but an individual may reapply for registration if the individual's previous registration has lapsed for more than five years or the board grants its approval. An individual that is permitted to reapply for registration as a pharmacy technician trainee shall comply with the criminal records check requirements pursuant to rule 4729:3-2-02 of the Administrative Code, unless otherwise determined by the board.

(1) A registration for a pharmacy technician trainee is no longer valid if an individual receives a registration to practice as a registered pharmacy technician or certified pharmacy technician.

(E) An initial registration for a registered pharmacy technician and certified pharmacy technician is valid until the renewal date set forth in rule 4729:3-2-03.

(F) Failure to complete all application requirements within thirty days after being notified by the board may result in the application being deemed abandoned as defined in rule 4729:3-1-01 of the Administrative Code.

(G) Registration fees for veterans shall be waived upon submission of the appropriate documentation. Documentation required to obtain a fee waiver will be published on the state board of pharmacy's web site: www.pharmacy.ohio.gov.

4729:3-2-02 – Criminal Records Checks

(A) An applicant seeking an initial registration as a pharmacy technician trainee, registered pharmacy technician or certified pharmacy technician must first submit fingerprint impressions to the Ohio bureau of criminal identification and investigation (BCI&I) for a criminal records check.

(B) Pursuant to section 4776.02 of the Revised Code, the criminal records check performed by BCI&I shall consist of both a BCI&I criminal records check and a federal bureau of investigation (FBI) criminal records check. BCI&I shall send the results of the BCI&I and FBI criminal records checks directly to the state board of pharmacy.

(C) The state board of pharmacy requires that the criminal records check:

(1) Be based on electronic fingerprint impressions that are submitted directly to BCI&I from a "WebCheck" provider agency or ink impressions. The state board of pharmacy may accept the results of a criminal records check based on ink impressions from a "WebCheck" provider agency only in the following circumstances:

(a) Readable electronic fingerprint impressions cannot be obtained or are rejected by either BCI&I or FBI;

(b) The applicant is from out-of-state; or

(c) The applicant's home address is seventy-five miles or more from the nearest WebCheck location.

(2) Results will only be considered valid if the fingerprint impressions were obtained within the previous six months of the date the application is received by the board.

(D) An applicant may submit electronic fingerprint impressions for a criminal records check any time after the applicant has submitted a licensure application to the state board of pharmacy.

(E) After the state board of pharmacy receives the results from both of the required criminal records checks the licensing process will proceed.

(F) Until April 6, 2020, an applicant for registration as a registered pharmacy technician or certified pharmacy technician who met the previous requirements to be a qualified pharmacy technician under section 4729.42 of the Revised Code, may satisfy the criminal records check requirements set forth in section 4729.90 of the Revised Code by authorizing the superintendent of the bureau of criminal identification and investigation to make the results of a criminal records check of the applicant available to the state board of pharmacy. To meet the requirement, the

criminal records check must have not been conducted no earlier than twenty-four months prior to the date the application for registration is received by the board.

4729:3-2-03 – Renewal Procedures

(A) A registered pharmacy technician shall submit a renewal application, in a manner determined by the board, that includes all the following:

(1) An attestation that that technician has completed the specified continuing education requirements pursuant to rule 4729:3-5-01.

(2) The required biennial fee of fifty dollars.

(3) Any additional information or documentation as determined by the board.

(B) A certified pharmacy technician shall submit a renewal application, in a manner determined by the board, that includes all the following:

(1) An attestation that that technician has completed the specified continuing education requirements pursuant to rule 4729:3-5-01.

(2) The required biennial fee of fifty dollars.

(3) A valid technician certification number from an organization that has been recognized by the board.

(4) Any additional information or documentation as determined by the board.

(C) A renewal application for registered pharmacy technicians shall be submitted no later than the thirty first of March of each even-numbered year. Renewal applications shall be accepted no earlier than January of each even-numbered year on a date determined by the board's director of licensing.

(D) A renewal application for certified pharmacy technicians shall be submitted no later than the thirtieth of September of each even-numbered year. Renewal applications shall be accepted no earlier than July of each even-numbered year on a date determined by the board's director of licensing.

(E) A registered pharmacy technician or certified pharmacy technician who fails to renew a registration in accordance with this rule is prohibited from engaging in the activities authorized by section 4729.91 of the Revised Code and rules 4729:3-3-03 and 4729:3-3-04 of the Administrative Code.

(F) A registered pharmacy technician or certified pharmacy technician who fails to renew a registration in accordance with this rule, but has not lapsed for more than ninety days, may be reinstated if the applicant complies with the following:

(i) Submits a renewal application in accordance with this rule;

(ii) Pays the renewal fee and a late fee of fifty dollars.

(G) A registrant that fails to renew for more than ninety days may not renew a registration and the registration shall be considered lapsed and cannot be reinstated. An individual may reapply for registration in accordance with rule 4729:3-2-01 of this rule.

(H)(1) In accordance with section 5903.10 of the Revised Code, a holder of an expired registration shall be granted a renewal of the registration by the state board of pharmacy at the usual cost without penalty and without need to meet the requirements set forth in rule 4729:3-2-01 of the Administrative Code if not otherwise disqualified because of mental or physical disability and if either of the following applies:

(a) The registration was not renewed because of the holder's service in the armed forces of the United States or a reserve component of the armed forces.

(b) The registration was not renewed because the holder's spouse served in the armed forces of the United States or a reserve component of the armed forces.

(2) A registered or certified pharmacy technician shall submit proper documentation certifying the active duty service and the length of that active duty service. Documentation required to obtain a renewal pursuant to paragraph (H)(1) of this rule will be published on the state board of pharmacy's web site: www.pharmacy.ohio.gov.

(J) Renewal fees for veterans shall be waived upon submission of the appropriate documentation. Documentation required to obtain a fee waiver will be published on the state board of pharmacy's web site: www.pharmacy.ohio.gov.

4729:3-2-04 – Change of name, contact information and place of employment.

(A) An individual registered pursuant to this division who has a legal change of name, shall notify the board of pharmacy within thirty days from the effective date of such change. Such notification of a name change shall be accompanied by one of the following:

(1) A notarized affidavit;

(2) A certified copy of a court record; or

(3) A certified copy of a marriage certificate.

(B) An individual registered pursuant to this division who changes their mailing or email address shall notify the board of pharmacy of the new address within thirty days after the effective date of such change.

(C) An individual registered pursuant to this division who changes their place of employment shall notify the board of pharmacy of the address of the principal place where they practice their profession within thirty days after they have commenced such practice.

4729:3-2-05 Successful completion of the Test of English as a Foreign Language Internet-based Test.

Successful completion of the "Test of English as a Foreign Language, Internet-based test" (TOEFL iBT) shall be the following minimum scores or higher:

(A) Writing: twenty-four;

(B) Speaking: twenty-six;

(C) Listening: twenty-one; and

(D) Reading: twenty-two.

4729:3-3-01 – Pharmacy Technician Trainees

(A) A pharmacy technician trainee shall wear a name tag which contains the designation "Pharmacy Technician Trainee". The name tag shall contain lettering of a legible size.

(B) A pharmacy technician trainee may, under the direct supervision of a pharmacist, engage in the following activities at a location licensed as a terminal distributor of dangerous drugs to the extent that the activities do not require the exercise of professional judgment:

(1) Accepting new written, faxed or electronic prescription orders from a prescriber or a prescriber's agent but shall not include verbal orders;

(2) Entering new or refill prescription information into a database or patient profile;

(3) Preparing and affixing labels;

(4) Stocking dangerous drugs and retrieving those drugs from inventory;

(5) Counting and pouring dangerous drugs into containers;

(6) Placing dangerous drugs into containers prior to dispensing by a pharmacist;

(7) Non-sterile drug compounding following the completion of site-specific training pursuant to rule 4729:3-3-02 of the Administrative Code; and

(8) Packaging and selling a dangerous drug to a patient or patient representative.

(C) A pharmacist is not permitted to supervise more than two pharmacy technician trainees engaging in the activities pursuant to paragraph (B) of this rule at any time, unless otherwise approved by the board.

4729:3-3-02 Approved Pharmacy Technician Training Programs

The purpose of this rule is to set standards for pharmacy technician training programs to ensure that graduates of the programs have the basic knowledge and experience in general pharmacy to practice in most pharmacy settings.

(A) The state board of pharmacy hereby approves the following pharmacy technician training programs:

(1) A pharmacy technician training program accredited by the American Society of Health-System Pharmacists/Accreditation Council for Pharmacy Education, and which maintains such accreditation.

(2) A program of training for pharmaceutical technicians conducted by a branch of the Armed Forces of the United States, the Indian Health Service of the United States Department of Health and Human Services or the United States Department of Veterans Affairs.

(3) An employer-based training program that meets the requirements in paragraph (C) of this rule.

(B) An employer-based training program shall comply with all the following:

(1) The program shall have a program director. The program director and the employer licensed as a terminal distributor of dangerous drugs shall be accountable for the overall quality of the employer-based training program.

(a) The program director shall be an Ohio licensed pharmacist in good standing.

(2) The program shall consist of didactic and practical experience training, as follows:

(a) One hundred and sixty hours of didactic training that includes, at a minimum, all the following topics:

(i) Mathematical calculations essential to the duties of a pharmacy technician;

(ii) Federal and state laws and regulations that affect pharmacy practice, including specific regulations which address the use of technicians;

(iii) Medical and pharmaceutical terminology, symbols and abbreviations used in the practice of pharmacy and components of a prescription;

(iv) Manufacturing, preparation, packaging, labeling and proper storage of drug products;

(v) Effective infection control procedures, including preventing transmission of blood borne and airborne diseases;

(vi) Knowledge and skills in areas of science relevant to the pharmacy technician's role, including anatomy/physiology and pharmacology;

(vii) Medication safety and error prevention;

(viii) Maintaining confidentiality of patient information, including the Patient Rights and Health Insurance Portability and Accountability Act (HIPAA);

(iv) Ethical and professional standards of practice;

(x) Recordkeeping and inventory control; and

(xi) Patient and caregiver communication, including communicating with diverse populations.

(b) Didactic training may include self-directed learning experiences, including but not limited to home study, computer programs, internet or web-based courses.

(c) The program shall ensure the required didactic training evaluates a participant's knowledge of the topics listed in paragraph (C)(2)(a) of this rule. The evaluation must include a minimum of 100 questions. The participant must achieve a minimum score of seventy percent to complete the evaluation.

(d) Three hundred and twenty hours of practical experience in a pharmacy under the direct supervision of a licensed pharmacist that directly relates to all the activities permitted in paragraph (B)(1) through (B)(6) of rule 4729:3-3-01 of the Revised Code.

(3) A written or electronic record of training and education shall be maintained as part of the training program that documents the completion of the training requirements, including the number of didactic and practical experience hours completed. This documentation must include an attestation by the program director and the terminal distributor's responsible person where the technician is employed that the technician trainee has successfully completed the training program and certify the competency of each technician completing the training pursuant to this rule. A copy of the documentation shall be provided to each participant who successfully completes the program.

(4) The program director must ensure that regular and ongoing assessments of program effectiveness are conducted and use the evaluations for continuous improvement of the program. Measures shall include, but are not limited to, the following:

(a) Performance on national certification or licensure exams;

(b) Program completion; and

(c) Program participant satisfaction.

(5) The program shall maintain the following records for a minimum of three years and shall be furnished to the state board of pharmacy within three working days of receipt of a request from the board:

(a) All technician training records and evaluations;

(b) Program assessments conducted in accordance with this rule.

(C) In order to perform non-sterile drug compounding, a pharmacy technician trainee shall complete the following training requirements prior to compounding non-sterile preparations:

(1) All training requirements set forth in this paragraph shall be appropriately documented and made readily retrievable for immediate inspection by an agent of the state board of pharmacy. Documentation shall be maintained by the terminal distributor of dangerous drugs for a minimum of three years.

(2) Training shall comply with the requirements set forth in the United States pharmacopeia chapter <795>, USP 38 - NF 33, or any official supplement thereto (3/18/2017).

(3) Training shall be obtained through completion of a site-specific, structured on-the-job didactic and experiential training program and shall not be transferrable to another practice site, except between practice sites under common ownership and control.

(4) A pharmacy technician trainee shall complete a minimum of twenty hours of documented experiential training in compounded non-sterile preparations.

(5) When the responsible person or a pharmacist designated by the responsible person is satisfied with the employee's knowledge and proficiency, the responsible person or the responsible person's designee will sign the documentation records to show that the employee was appropriately trained in accordance with this rule.

(6) Ensuring pharmacy technician trainees are properly trained shall be the responsibility of the terminal distributor of dangerous drugs and licensee's responsible person.

(D) A terminal distributor of dangerous drugs and the licensee's responsible person shall be responsible for the implementation of policies and procedures for additional training appropriate to duties and responsibilities performed by a pharmacy technician trainee as well as an ongoing quality assurance plan to ensure competency.

(E) Unless otherwise approved by the Board, a board approved training program is only valid for application as a registered pharmacy technician or certified pharmacy technician if the program was completed within five years of application for registration.

(F) Paragraph (E) of this rule does not apply in the following circumstances:

(1) An applicant for registration has been actively practicing as a pharmacy technician in this or another state within one year of application to the board; or

(2) An applicant has maintained a current pharmacy technician certification from an organization that has been recognized by the board.

4729:3-3-03 – Registered Pharmacy Technicians

(A) A registered pharmacy technician shall wear a name tag which contains the designation "Registered Pharmacy Technician". The name tag shall contain lettering of a legible size.

(B) A registered pharmacy technician may, under the direct supervision of a pharmacist, engage in the following activities at a location licensed as a terminal distributor of dangerous drugs to the extent that the activities do not require the exercise of professional judgment:

(1) Accepting new written, faxed or electronic prescription orders from a prescriber or a prescriber's agent;

(2) Entering new or refill prescription information into a database or patient profile;

(3) Preparing and affixing labels;

(4) Stocking dangerous drugs and retrieving those drugs from inventory;

(5) Counting and pouring dangerous drugs into containers;

(6) Placing dangerous drugs into containers prior to dispensing by a pharmacist;

(7) Non-sterile drug compounding in accordance with the required training in paragraph (C) of this rule; and

(8) Packaging and selling a dangerous drug to a patient or patient representative.

(C) In order to perform non-sterile drug compounding, a registered pharmacy technician shall complete the following training requirements prior to compounding non-sterile preparations:

(1) All training requirements set forth in this paragraph shall be appropriately documented and available for immediate inspection by an agent of the state board of pharmacy.

(2) Training shall comply with the requirements set forth in the United States pharmacopeia chapter <795>, USP 38 - NF 33, or any official supplement thereto (3/18/2017).

(3) Training shall be obtained through completion of a site-specific, structured on-the-job didactic and experiential training program and shall not be transferrable to another practice site, except between practice sites under common ownership and control.

(4) A registered pharmacy technician shall complete a minimum of twenty hours of documented experiential training in compounded non-sterile preparations.

(5) When the responsible person or a pharmacist designated by the responsible person is satisfied with the employee's knowledge and proficiency, the responsible person or the responsible

person’s designee will sign the documentation records to show that the employee was appropriately trained in accordance with this rule.

(6) Ensuring registered pharmacy technicians are properly trained shall be the responsibility of the terminal distributor of dangerous drugs and licensee’s responsible person.

(D) A terminal distributor of dangerous drugs and the licensee’s responsible person shall be responsible for the implementation of policies and procedures for additional training appropriate to duties and responsibilities performed by a registered pharmacy technician as well as an ongoing quality assurance plan to ensure competency.

4729:3-3-04 – Certified Pharmacy Technicians

(A) A certified pharmacy technician shall wear a name tag which contains the designation "Certified Pharmacy Technician". The name tag shall contain lettering of a legible size.

(B) A certified pharmacy technician may, under the direct supervision of a pharmacist, engage in the following activities at a location licensed as a terminal distributor of dangerous drugs to the extent that the activities do not require the exercise of professional judgment:

(1) Accepting new written, faxed or electronic prescription orders from a prescriber or a prescriber's agent;

(2) Entering information into and retrieving information from a database or patient profile;

(3) Preparing and affixing labels;

(4) Stocking dangerous drugs and retrieving those drugs from inventory;

(5) Counting and pouring dangerous drugs into containers;

(6) Placing dangerous drugs into containers prior to dispensing by a pharmacist;

(7) Non-sterile drug compounding in accordance with the required training in paragraph (C) of this rule;

(8) Sterile drug compounding in accordance with the required training in paragraph (D) of this rule;

(9) Packaging and selling a dangerous drug to a patient or patient representative;

(10) Within an institutional facility as defined in rules adopted under Chapter 4729. of the Administrative Code, stocking automated drug dispensing units, floor stock and crash carts; and

(11) Accepting or requesting refill authorizations for dangerous drugs that are not controlled substances from a prescriber or the prescriber's agent, so long as there is no change from the original prescription.

(C) In order to perform non-sterile drug compounding, a certified pharmacy technician shall complete the following training requirements prior to compounding non-sterile preparations:

(1) All training requirements set forth in this paragraph shall be appropriately documented and available for immediate inspection by an agent of the state board of pharmacy. The required training for certified pharmacy technicians shall be included as part of the terminal distributor of dangerous drugs' standard operating procedures.

(2) Training shall comply with the requirements set forth in the United States pharmacopeia chapter <795>, USP 38 - NF 33, or any official supplement thereto (3/18/2017).

(3) Training shall be obtained through completion of a site-specific, structured on-the-job didactic and experiential training program and shall not be transferrable to another practice site, except between practice sites under common ownership and control.

(4) A certified pharmacy technician shall complete a minimum of twenty hours of documented experiential training in compounded non-sterile preparations.

(5) When the responsible person or a pharmacist designated by the responsible person is satisfied with the employee's knowledge and proficiency, the responsible person or the responsible person's designee will sign the documentation records to show that the employee was appropriately trained in accordance with this rule.

(6) Ensuring certified pharmacy technicians are properly trained shall be the responsibility of the terminal distributor of dangerous drugs and licensee's responsible person.

(D) In order to perform sterile drug compounding, a certified pharmacy technician shall complete the following training requirements prior to compounding sterile preparations:

(1) All training requirements set forth in this paragraph shall be appropriately documented and available for immediate inspection by an agent of the state board of pharmacy. The required training for registered technicians shall be included as part of the terminal distributor of dangerous drugs' standard operating procedures.

(2) Training shall comply with the requirements set forth in the United States pharmacopeia chapter <797>, USP 38 - NF 33, or any official supplement thereto (3/23/2017).

(3) Training shall be obtained through completion of a site-specific, structured on-the-job didactic and experiential training program and shall not be transferrable to another practice site, except between practice sites under common ownership and control.

(4) A certified pharmacy technician shall complete a minimum of eighty hours of documented experiential training in compounded sterile preparations.

(5) When the responsible person or a pharmacist designated by the responsible person is satisfied with the employee's knowledge and proficiency, the responsible person will sign the documentation records to show that the employee was appropriately trained in accordance with this rule.

(6) Ensuring certified pharmacy technicians are properly trained shall be the responsibility of the terminal distributor of dangerous drugs and licensee's responsible person.

(E) A terminal distributor of dangerous drugs and the licensee's responsible person shall be responsible for the implementation of policies and procedures for additional training appropriate to duties and responsibilities performed by a certified pharmacy technician as well as an ongoing quality assurance plan to ensure competency.

4729:3-3-05 – Duty to Report

(A) Pursuant to section 4729.10 of the Revised Code, a pharmacy technician trainee, registered pharmacy technician or certified pharmacy technician who has knowledge, from direct observation or objective evidence, of violations described in paragraph (B) of this rule shall report such conduct to the Board.

(B) The following shall be reported to the Board:

(1) Conduct indicating an individual licensed or registered by the board is addicted to or is suspected to be abusing alcohol, drugs or other chemical substances or impaired physically or mentally to such a degree as to render the individual unfit to carry out their professional duties;

(2) Except as provided in paragraph (G) of this rule, violations, attempts to violate or aid and abet in the violation of any of the provisions of Chapters 4729., 3715., 3719., 2925. and 2913. of the Revised Code, or any rule adopted by the board under those provisions by an individual licensed or registered by the board; and

(3) Conduct by a pharmacy technician trainee, registered pharmacy technician, certified pharmacy technician, pharmacy intern or pharmacist that constitutes unprofessional conduct or dishonesty as defined in rule 4729:3-4-01 of the Administrative Code.

(C) Pursuant to section 4729.23 of the Revised Code, the identity of the registrant making a report under paragraph (B) of this rule shall remain confidential.

(1) The registrant making a report may be required to testify in a disciplinary proceeding without disclosing the registrant reported the violation(s) in accordance with this rule.

(D) Reporting required in accordance with paragraph (B) this rule shall be made in writing, either by mail, using the board's online complaint form (available on the board's web site: www.pharmacy.ohio.gov), or by telephone and shall include the following information:

(1) The name of the licensee or registrant or other individual in violation;

(2) The violation which is believed to have occurred; and

(3) The date(s) of and place(s) of occurrence(s), if known.

(E) An individual registered pursuant to this division shall notify the board of any of the following:

(1) Any criminal conviction within ten days after the date of conviction, except for minor traffic violations such as parking violations, speeding tickets and violations such as failure to obey a red light and failure to use a turn signal or expired registration.

(2) Convicted of, plead guilty to, is subject to a judicial finding of eligibility for intervention in lieu of conviction in this state under section 2951.041 of the Revised Code or the equivalent thereof in another jurisdiction within ten days after the individual is deemed eligible.

(3) Granted entry into a diversion program, deferred prosecution program, or the equivalent thereof within ten days after the individual is granted entry into a program.

(4) Any arrest for a felony within ten days after the arrest.

(F) An individual registered pursuant to this division shall notify the board of any disciplinary licensing or registration action taken by another state against the registrant within ten days of the notice action. This includes, but is not limited to, a disciplinary action that is stayed pending appeal.

(G) A violation of division (A)(2) of section 3715.52 and section 3715.64 of the Revised Code is not required to be reported pursuant to paragraph (B)(2) of this rule.

(H) Pursuant to rule 4729.10 of the Revised Code, in the absence of fraud or bad faith, a person who reports in accordance with paragraph (C) of this rule or testifies in any adjudication conducted under Chapter 119. of the Revised Code is not liable to any person for damages in a civil action as a result of the report or testimony.

4729:3-4-01 – Disciplinary Actions

(A) The state board of pharmacy, after notice and hearing in accordance with Chapter 119. of the Revised Code, may impose one or more of the following sanctions on a pharmacy technician trainee, registered pharmacy technician, or certified pharmacy technician if the board finds the individual engaged in any of the conduct set forth in paragraph (B) of this rule:

(1) Revoke, suspend, restrict, limit, or refuse to grant or renew a registration;

(2) Reprimand or place the holder of the registration on probation;

(3) Impose a monetary penalty or forfeiture not to exceed in severity any fine designated under the Revised Code for a similar offense, or in the case of a violation of a section of the Revised Code that does not bear a penalty, a monetary penalty or forfeiture as specified in section 4729.96 of the Revised Code.

(B) The board may impose the sanctions listed in paragraph (B) of this rule if the board finds a pharmacy technician trainee, registered pharmacy technician, or certified pharmacy technician:

(1) Has engaged in any of the conduct specified in division (A)(2) of section 4729.96 of the Revised Code.

(2) Violated any state or federal law or rule regardless of the jurisdiction in which the acts were committed, except for minor traffic violations such as parking violations, speeding tickets and violations such as failure to obey a red light, failure to use a turn signal or expired registration.

(3) Convicted of, plead guilty to, is subject to a judicial finding of eligibility for intervention in lieu of conviction in this state under section 2951.041 of the Revised Code or the equivalent thereof in another jurisdiction.

(4) Granted entry into a diversion program, deferred prosecution program, or the equivalent thereof.

(5) Committed acts that constitute moral turpitude as defined in section 4776.10 of the Revised Code or gross immorality.

(6) Committed acts of moral turpitude.

(7) Engaging in dishonesty.

(a) Dishonesty includes, but is not limited to, making any statement intended to deceive, misrepresent or mislead anyone, or be a party to or an accessory to any fraudulent or deceitful practice or transaction in pharmacy or in the operation or conduct of a pharmacy.

(8) Engaging in unprofessional conduct.

(a) Unprofessional conduct means conduct unbecoming of a licensee or registrant or detrimental to the best interests of the public, including conduct that endangers the health, safety or welfare of a patient or client. Such conduct shall be in connection with the duties performed by a licensee or registrant and shall include, but not be limited to, the following acts: verbal abuse, coercion, intimidation, harassment, sexual advances, improper use of private health information, threats, degradation of character, indecent or obscene conduct, and theft.

(9) Has been disciplined by any professional licensing board or agency or has surrendered a professional license with discipline pending.

(10) Violated any restrictions placed by the state board of pharmacy on a registration or violated any terms of a board order issued against the licensee.

4729:3-5-01 – Continuing Education

(A) As a condition for the renewal of a certificate of registration as a registered pharmacy technician, the registrant shall complete a total of 20 contact hours (2.0 C.E.Us) of continuing pharmacy education during the twenty-four months preceding the expiration date of the technician's registration. The continuing pharmacy education shall be in pharmacy technician-specific subject matter and shall include, at a minimum, the following:

(1) Two contact hours (0.2 C.E.Us) of continuing pharmacy education shall be in the subject of pharmacy jurisprudence (law).

(2) Two contact hours (0.2 C.E.Us) of continuing pharmacy education shall be in the subject of patient or medication safety.

(B) Except as provided in paragraph (C) of this rule, all continuing education shall be approved by the Accreditation Council on Pharmacy Education (ACPE).

(C) Pharmacy jurisprudence requirements in paragraph (D)(1)(a) of this rule may also be obtained through a board-approved jurisprudence continuing education program.

(D) Paragraph (A) of this rule does not apply to registered pharmacy technicians that obtain an initial registration within 6-months of the expiration date of the registration.

(E) The state board of pharmacy may grant extension periods and waivers for the completion of continuing education requirements for veterans and their spouses. If a current registered technician or their spouse is called to active duty for military service, the time period allowed for completion of any continuing education requirements will be extended by the amount of time that the registered pharmacy technician or the technician's spouse was on active duty. A registered technician seeking an extension period or waiver must provide documentation to the board demonstrating active-duty service.

(F) Registered pharmacy technicians shall keep all certificates and other documented evidence of participation which have been issued for approved C.E.U.s for which the pharmacy technician has claimed continuing education units towards renewal of the technician's registration for a period of one year following the year in which evidence was required for renewal.

(1) Documentation, as determined by the state board of pharmacy, shall be submitted only when requested by the board.

(2) The board may monitor compliance by conducting an audit of registrants, in a manner determined by the board, each reporting period.

(3) The board may require the reporting of continuing education units to a national register.

(G) As a condition for the renewal of a certificate of registration as a certified pharmacy technician, the registrant shall complete all continuing education requirements necessary to maintain the registrant's pharmacy technician certification.