

SB2133



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2133

Introduced 2/10/2023, by Sen. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

225 ILCS 85/9

Amends the Pharmacy Practice Act. Provides that specified requirements that, within 2 years after initial licensure as a registered pharmacy technician, the licensee must meet to become licensed as a registered certified pharmacy technician do not apply to pharmacy technicians who have a disability. Defines "disability" and "developmental disability".

LRB103 28720 AMQ 55102 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Pharmacy Practice Act is amended by
5 changing Section 9 as follows:

6 (225 ILCS 85/9)

7 (Section scheduled to be repealed on January 1, 2028)

8 Sec. 9. Licensure as registered pharmacy technician.

9 (a) Any person shall be entitled to licensure as a
10 registered pharmacy technician who is of the age of 16 or over,
11 has not engaged in conduct or behavior determined to be
12 grounds for discipline under this Act, is attending or has
13 graduated from an accredited high school or comparable school
14 or educational institution or received a State of Illinois
15 High School Diploma, and has filed a written or electronic
16 application for licensure on a form to be prescribed and
17 furnished by the Department for that purpose. The Department
18 shall issue a license as a registered pharmacy technician to
19 any applicant who has qualified as aforesaid, and such license
20 shall be the sole authority required to assist licensed
21 pharmacists in the practice of pharmacy, under the supervision
22 of a licensed pharmacist. A registered pharmacy technician may
23 be delegated to perform any task within the practice of

1 pharmacy if specifically trained for that task, except for
2 patient counseling, drug regimen review, clinical conflict
3 resolution, ~~or~~ final prescription verification except where a
4 registered certified pharmacy technician verifies a
5 prescription dispensed by another pharmacy technician using
6 technology-assisted medication verification, or providing
7 patients prophylaxis drugs for human immunodeficiency virus
8 pre-exposure prophylaxis or post-exposure prophylaxis.

9 (b) Beginning on January 1, 2017, within 2 years after
10 initial licensure as a registered pharmacy technician, the
11 licensee must meet the requirements described in Section 9.5
12 of this Act and become licensed as a registered certified
13 pharmacy technician. If the licensee has not yet attained the
14 age of 18, then upon the next renewal as a registered pharmacy
15 technician, the licensee must meet the requirements described
16 in Section 9.5 of this Act and become licensed as a registered
17 certified pharmacy technician. This requirement does not apply
18 to pharmacy technicians registered prior to January 1, 2008.
19 This requirement does not apply to pharmacy technicians who
20 have a disability.

21 As used in this subsection:

22 "Disability" means a disability as defined by the
23 Americans with Disabilities Act of 1990 that is attributable
24 to a developmental disability, a mental illness, or a physical
25 disability, or combination of those.

26 "Developmental disability" has the same meaning as used in

1 Section 1-106 of the Mental Health and Developmental
2 Disabilities Code.

3 (c) Any person registered as a pharmacy technician who is
4 also enrolled in a first professional degree program in
5 pharmacy in a school or college of pharmacy or a department of
6 pharmacy of a university approved by the Department or has
7 graduated from such a program within the last 18 months, shall
8 be considered a "student pharmacist" and entitled to use the
9 title "student pharmacist". A student pharmacist must meet all
10 of the requirements for licensure as a registered pharmacy
11 technician set forth in this Section excluding the requirement
12 of certification prior to the second license renewal and pay
13 the required registered pharmacy technician license fees. A
14 student pharmacist may, under the supervision of a pharmacist,
15 assist in the practice of pharmacy and perform any and all
16 functions delegated to him or her by the pharmacist.

17 (d) Any person seeking licensure as a pharmacist who has
18 graduated from a pharmacy program outside the United States
19 must register as a pharmacy technician and shall be considered
20 a "student pharmacist" and be entitled to use the title
21 "student pharmacist" while completing the 1,200 clinical hours
22 of training approved by the Board of Pharmacy described and
23 for no more than 18 months after completion of these hours.
24 These individuals are not required to become registered
25 certified pharmacy technicians while completing their Board
26 approved clinical training, but must become licensed as a

1 pharmacist or become licensed as a registered certified
2 pharmacy technician before the second pharmacy technician
3 license renewal following completion of the Board approved
4 clinical training.

5 (e) The Department shall not renew the registered pharmacy
6 technician license of any person who has been licensed as a
7 registered pharmacy technician with the designation "student
8 pharmacist" who: (1) has dropped out of or been expelled from
9 an ACPE accredited college of pharmacy; (2) has failed to
10 complete his or her 1,200 hours of Board approved clinical
11 training within 24 months; or (3) has failed the pharmacist
12 licensure examination 3 times. The Department shall require
13 these individuals to meet the requirements of and become
14 licensed as a registered certified pharmacy technician.

15 (f) The Department may take any action set forth in
16 Section 30 of this Act with regard to a license pursuant to
17 this Section.

18 (g) Any person who is enrolled in a non-traditional
19 Pharm.D. program at an ACPE accredited college of pharmacy and
20 is licensed as a registered pharmacist under the laws of
21 another United States jurisdiction shall be permitted to
22 engage in the program of practice experience required in the
23 academic program by virtue of such license. Such person shall
24 be exempt from the requirement of licensure as a registered
25 pharmacy technician or registered certified pharmacy
26 technician while engaged in the program of practice experience

1 required in the academic program.

2 An applicant for licensure as a registered pharmacy
3 technician may assist a pharmacist in the practice of pharmacy
4 for a period of up to 60 days prior to the issuance of a
5 license if the applicant has submitted the required fee and an
6 application for licensure to the Department. The applicant
7 shall keep a copy of the submitted application on the premises
8 where the applicant is assisting in the practice of pharmacy.
9 The Department shall forward confirmation of receipt of the
10 application with start and expiration dates of practice
11 pending licensure.

12 (Source: P.A. 101-621, eff. 1-1-20; 102-882, eff. 1-1-23;
13 102-1051, eff. 1-1-23; 102-1100, eff. 1-1-23; revised
14 12-14-22.)