



Rep. Kelly M. Cassidy

Filed: 5/8/2014

09800SB2941ham002

LRB098 16878 ZMM 59337 a

1 AMENDMENT TO SENATE BILL 2941

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2941 on page 1, by  
3 replacing line 5 with the following:

4 "changing Sections 3.1 and 5.2 as follows:

5 (20 ILCS 2630/3.1) (from Ch. 38, par. 206-3.1)

6 Sec. 3.1. (a) The Department may furnish, pursuant to  
7 positive identification, records of convictions to the  
8 Department of Financial and Professional Regulation for the  
9 purpose of meeting registration or licensure requirements  
10 under the Private Detective, Private Alarm, Private Security,  
11 Fingerprint Vendor, and Locksmith Act of 2004 or the Pharmacy  
12 Practice Act.

13 (b) The Department may furnish, pursuant to positive  
14 identification, records of convictions to policing bodies of  
15 this State for the purpose of assisting local liquor control  
16 commissioners in carrying out their duty to refuse to issue  
17 licenses to persons specified in paragraphs (4), (5) and (6) of

1 Section 6-2 of the Liquor Control Act of 1934.

2 (c) The Department shall charge an application fee, based  
3 on actual costs, for the dissemination of records pursuant to  
4 this Section. Fees received for the dissemination of records  
5 pursuant to this Section shall be deposited in the State Police  
6 Services Fund. The Department is empowered to establish this  
7 fee and to prescribe the form and manner for requesting and  
8 furnishing conviction information pursuant to this Section.

9 (d) Any dissemination of any information obtained pursuant  
10 to this Section to any person not specifically authorized  
11 hereby to receive or use it for the purpose for which it was  
12 disseminated shall constitute a violation of Section 7.

13 (Source: P.A. 95-613, eff. 9-11-07.)"; and

14 on page 33, immediately below line 23, by inserting the  
15 following:

16 "Section 10. The Pharmacy Practice Act is amended by  
17 changing Sections 6, 9, and 9.5 as follows:

18 (225 ILCS 85/6) (from Ch. 111, par. 4126)

19 (Section scheduled to be repealed on January 1, 2018)

20 Sec. 6. Each individual seeking licensure as a registered  
21 pharmacist shall make application to the Department and shall  
22 provide evidence of the following:

23 1. that he or she is a United States citizen or legally

1 admitted alien;

2 2. that he or she has not engaged in conduct or behavior  
3 determined to be grounds for discipline under this Act;

4 3. that he or she is a graduate of a first professional  
5 degree program in pharmacy of a university recognized and  
6 approved by the Department;

7 4. that he or she has successfully completed a program of  
8 practice experience under the direct supervision of a  
9 pharmacist in a pharmacy in this State, or in any other State;  
10 ~~and~~

11 5. that he or she has passed an examination recommended by  
12 the Board of Pharmacy and authorized by the Department; and -

13 6. that he or she has submitted his or her fingerprints to  
14 the Department of State Police in the form and manner  
15 prescribed by the Department of State Police; these  
16 fingerprints shall be transmitted through a live scan  
17 fingerprint vendor licensed by the Department and shall be  
18 checked against the fingerprint records now and hereafter filed  
19 in the Department of State Police and Federal Bureau of  
20 Investigation criminal history records databases; the  
21 Department of State Police shall charge a fee for conducting  
22 the criminal history records check, which shall be deposited  
23 into the State Police Services Fund and shall not exceed the  
24 actual cost of the State and national criminal history records  
25 check; the Department of State Police shall furnish, pursuant  
26 to positive identification, all Illinois conviction

1 information and national criminal history records information  
2 to the Department; the Department may adopt any rules necessary  
3 to implement this subsection (6).

4 The Department shall issue a license as a registered  
5 pharmacist to any applicant who has qualified as aforesaid and  
6 who has filed the required applications and paid the required  
7 fees in connection therewith; and such registrant shall have  
8 the authority to practice the profession of pharmacy in this  
9 State.

10 (Source: P.A. 95-689, eff. 10-29-07.)

11 (225 ILCS 85/9) (from Ch. 111, par. 4129)

12 (Section scheduled to be repealed on January 1, 2018)

13 Sec. 9. Registration as pharmacy technician. Any person  
14 shall be entitled to registration as a registered pharmacy  
15 technician who is of the age of 16 or over, has not engaged in  
16 conduct or behavior determined to be grounds for discipline  
17 under this Act, is attending or has graduated from an  
18 accredited high school or comparable school or educational  
19 institution or received a GED, ~~and~~ has filed a written  
20 application for registration on a form to be prescribed and  
21 furnished by the Department for that purpose, and has submitted  
22 his or her fingerprints to the Department of State Police in  
23 the form and manner prescribed by the Department of State  
24 Police. These fingerprints shall be transmitted through a live  
25 scan fingerprint vendor licensed by the Department and shall be

1 checked against the fingerprint records now and hereafter filed  
2 in the Department of State Police and Federal Bureau of  
3 Investigation criminal history records databases. The  
4 Department of State Police shall charge a fee for conducting  
5 the criminal history records check, which shall be deposited  
6 into the State Police Services Fund and shall not exceed the  
7 actual cost of the State and national criminal history records  
8 check. The Department of State Police shall furnish, pursuant  
9 to positive identification, all Illinois conviction  
10 information and national criminal history records information  
11 to the Department. The Department may adopt any rules necessary  
12 to implement the background checks required under this Section.

13 The Department shall issue a certificate of registration as a  
14 registered pharmacy technician to any applicant who has  
15 qualified as aforesaid, and such registration shall be the sole  
16 authority required to assist licensed pharmacists in the  
17 practice of pharmacy, under the supervision of a licensed  
18 pharmacist. A registered pharmacy technician may, under the  
19 supervision of a pharmacist, assist in the practice of pharmacy  
20 and perform such functions as assisting in the dispensing  
21 process, offering counseling, receiving new verbal  
22 prescription orders, and having prescriber contact concerning  
23 prescription drug order clarification. A registered pharmacy  
24 technician may not engage in patient counseling, drug regimen  
25 review, or clinical conflict resolution.

26 Beginning on January 1, 2010, within 2 years after initial

1 registration as a registered technician, a pharmacy technician  
2 must become certified by successfully passing the Pharmacy  
3 Technician Certification Board (PTCB) examination or another  
4 Board-approved pharmacy technician examination and register as  
5 a certified pharmacy technician with the Department in order to  
6 continue to perform pharmacy technician's duties. This  
7 requirement does not apply to pharmacy technicians registered  
8 prior to January 1, 2008.

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

23 Any person seeking licensure as a pharmacist who has  
24 graduated from a pharmacy program outside the United States  
25 must register as a pharmacy technician and shall be considered  
26 a "student pharmacist" and be entitled to use the title

1 "student pharmacist" while completing the 1,200 clinical hours  
2 of training approved by the Board of Pharmacy described and for  
3 no more than 18 months after completion of these hours. These  
4 individuals are not required to become certified pharmacy  
5 technicians while completing their Board approved clinical  
6 training, but must become licensed as a pharmacist or become a  
7 certified pharmacy technician before the second pharmacy  
8 technician registration renewal following completion of the  
9 Board approved clinical training.

10 The Department shall not renew the pharmacy technician  
11 license of any person who has been registered as a "student  
12 pharmacist" and has dropped out of or been expelled from an  
13 ACPE accredited college of pharmacy, who has failed to complete  
14 his or her 1,200 hours of Board approved clinical training  
15 within 24 months or who has failed the pharmacist licensure  
16 examination 3 times and shall require these individuals to meet  
17 the requirements of and become registered a certified pharmacy  
18 technician.

19 The Department may take any action set forth in Section 30  
20 of this Act with regard to registrations pursuant to this  
21 Section.

22 Any person who is enrolled in a non-traditional Pharm.D.  
23 program at an ACPE accredited college of pharmacy and is a  
24 licensed pharmacist under the laws of another United States  
25 jurisdiction shall be permitted to engage in the program of  
26 practice experience required in the academic program by virtue

1 of such license. Such person shall be exempt from the  
2 requirement of registration as a registered pharmacy  
3 technician while engaged in the program of practice experience  
4 required in the academic program.

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

15 (Source: P.A. 95-689, eff. 10-29-07; 96-673, eff. 1-1-10.)

16 (225 ILCS 85/9.5)

17 (Section scheduled to be repealed on January 1, 2018)

18 Sec. 9.5. Certified pharmacy technician.

19 (a) An individual registered as a pharmacy technician under  
20 this Act may be registered as a certified pharmacy technician,  
21 if he or she meets all of the following requirements:

22 (1) He or she has submitted a written application in  
23 the form and manner prescribed by the Department.

24 (2) He or she has attained the age of 18.

25 (3) He or she is of good moral character, as determined



1 by the Department.

2 (4) He or she has (i) graduated from pharmacy  
3 technician training meeting the requirements set forth in  
4 subsection (a) of Section 17.1 of this Act or (ii) obtained  
5 documentation from the pharmacist-in-charge of the  
6 pharmacy where the applicant is employed verifying that he  
7 or she has successfully completed a training program and  
8 has successfully completed an objective assessment  
9 mechanism prepared in accordance with rules established by  
10 the Department.

11 (5) He or she has successfully passed an examination  
12 accredited by the National Organization of Certifying  
13 Agencies, as approved and required by the Board.

14 (6) He or she has paid the required certification fees.

15 (7) He or she has submitted his or her fingerprints to  
16 the Department of State Police in the form and manner  
17 prescribed by the Department of State Police. These  
18 fingerprints shall be transmitted through a live scan  
19 fingerprint vendor licensed by the Department and shall be  
20 checked against the fingerprint records now and hereafter  
21 filed in the Department of State Police and Federal Bureau  
22 of Investigation criminal history records databases. The  
23 Department of State Police shall charge a fee for  
24 conducting the criminal history records check, which shall  
25 be deposited into the State Police Services Fund and shall  
26 not exceed the actual cost of the State and national

1       criminal history records check. The Department of State  
2       Police shall furnish, pursuant to positive identification,  
3       all Illinois conviction information and national criminal  
4       history records information to the Department. The  
5       Department may adopt any rules necessary to implement this  
6       paragraph (7).

7       (b) No pharmacist whose license has been denied, revoked,  
8       suspended, or restricted for disciplinary purposes may be  
9       eligible to be registered as a certified pharmacy technician.

10       (c) The Department may, by rule, establish any additional  
11       requirements for certification under this Section.

12       (d) A person who is not a registered pharmacy technician  
13       and meets the requirements of this Section may register as a  
14       certified pharmacy technician without first registering as a  
15       pharmacy technician.

16       (Source: P.A. 95-689, eff. 10-29-07; 96-673, eff. 1-1-10.)".