



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3271

by Rep. Michael J. Zalewski

SYNOPSIS AS INTRODUCED:

225 ILCS 85/9
225 ILCS 85/9.5

from Ch. 111, par. 4129

Amends the Pharmacy Practice Act. Provides that, beginning on January 1, 2016, if the registrant has attained the age of 18 and has been registered for 12 months or longer as a registered technician, a pharmacy technician must meet specified requirements and register as a certified pharmacy technician and, if the registrant has not yet attained the age of 18 or has been registered for less than 12 months, then upon renewal of the full 2-year registration as a registered technician, a pharmacy technician must meet the requirements and register as a certified pharmacy technician. Requires that, as a condition for the renewal of a certificate of registration as a certified pharmacy technician, the registrant shall provide evidence to the Department of completion of a total of 20 hours of continuing pharmacy education during the 24 months preceding the expiration date of the certificate. Requires the Department to establish by rule a means for the verification of completion of the continuing education requirements. Provides that the Department may waive the requirements of continuing pharmacy education, in whole or in part, in cases of extreme hardship. Effective January 1, 2016.

LRB099 09520 AMC 29728 b

FISCAL NOTE ACT
MAY APPLY

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 changing
5 Sections 9 and 9.5 as follows:

6 (225 ILCS 85/9) (from Ch. 111, par. 4129)

7 (Section scheduled to be repealed on January 1, 2018)

8 Sec. 9. Registration as pharmacy technician. Any person
9 shall be entitled to registration as a registered pharmacy
10 technician who is of the age of 16 or over, has not engaged in
11 conduct or behavior determined to be grounds for discipline
12 under this Act, is attending or has graduated from an
13 accredited high school or comparable school or educational
14 institution or received a high school equivalency certificate,
15 and has filed a written application for registration on a form
16 to be prescribed and furnished by the Department for that
17 purpose. The Department shall issue a certificate of
18 registration as a registered pharmacy technician to any
19 applicant who has qualified as aforesaid, and such registration
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 under the supervision of a pharmacist, assist in the practice

1 of pharmacy and perform such functions as assisting in the
2 dispensing process, offering counseling, receiving new verbal
3 prescription orders, and having prescriber contact concerning
4 prescription drug order clarification. A registered pharmacy
5 technician may not engage in patient counseling, drug regimen
6 review, or clinical conflict resolution.

7 Beginning on January 1, 2016, if the registrant has
8 attained the age of 18 and has been registered for 12 months or
9 longer ~~Beginning on January 1, 2010, within 2 years after~~
10 ~~initial registration~~ as a registered technician, a pharmacy
11 technician must meet the requirements described in Section 9.5
12 of this Act and register as a certified pharmacy technician. If
13 the registrant has not yet attained the age of 18 or has been
14 registered for less than 12 months, then upon renewal of the
15 full 2-year registration as a registered technician, a pharmacy
16 technician must meet the requirements described in Section 9.5
17 of this Act and register as a certified pharmacy technician
18 ~~become certified by successfully passing the Pharmacy~~
19 ~~Technician Certification Board (PTCB) examination or another~~
20 ~~Board-approved pharmacy technician examination and register as~~
21 ~~a certified pharmacy technician with the Department in order to~~
22 ~~continue to perform pharmacy technician's duties.~~ This
23 requirement does not apply to pharmacy technicians registered
24 prior to January 1, 2008.

25 Any person registered as a pharmacy technician who is also
26 enrolled in a first professional degree program in pharmacy in

1 a school or college of pharmacy or a department of pharmacy of
2 a university approved by the Department or has graduated from
3 such a program within the last 18 months, shall be considered a
4 "student pharmacist" and entitled to use the title "student
5 pharmacist". A student pharmacist must meet all of the
6 requirements for registration as a pharmacy technician set
7 forth in this Section excluding the requirement of
8 certification prior to the second registration renewal and pay
9 the required pharmacy technician registration fees. A student
10 pharmacist may, under the supervision of a pharmacist, assist
11 in the practice of pharmacy and perform any and all functions
12 delegated to him or her by the pharmacist.

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

26 The Department shall not renew the pharmacy technician

1 license of any person who has been registered as a "student
2 pharmacist" and has dropped out of or been expelled from an
3 ACPE accredited college of pharmacy, who has failed to complete
4 his or her 1,200 hours of Board approved clinical training
5 within 24 months or who has failed the pharmacist licensure
6 examination 3 times and shall require these individuals to meet
7 the requirements of and become registered a certified pharmacy
8 technician.

9 The Department may take any action set forth in Section 30
10 of this Act with regard to registrations pursuant to this
11 Section.

12 Any person who is enrolled in a non-traditional Pharm.D.
13 program at an ACPE accredited college of pharmacy and is a
14 licensed pharmacist under the laws of another United States
15 jurisdiction shall be permitted to engage in the program of
16 practice experience required in the academic program by virtue
17 of such license. Such person shall be exempt from the
18 requirement of registration as a registered pharmacy
19 technician while engaged in the program of practice experience
20 required in the academic program.

21 An applicant for registration as a pharmacy technician may
22 assist a pharmacist in the practice of pharmacy for a period of
23 up to 60 days prior to the issuance of a certificate of
24 registration if the applicant has submitted the required fee
25 and an application for registration to the Department. The
26 applicant shall keep a copy of the submitted application on the

1 premises where the applicant is assisting in the practice of
2 pharmacy. The Department shall forward confirmation of receipt
3 of the application with start and expiration dates of practice
4 pending registration.

5 (Source: P.A. 98-718, eff. 1-1-15.)

6 (225 ILCS 85/9.5)

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

8 Sec. 9.5. Certified pharmacy technician.

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

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

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

15 (3) He or she is of good moral character, as determined
16 by the Department.

17 (4) He or she has (i) graduated from pharmacy
18 technician training meeting the requirements set forth in
19 subsection (a) of Section 17.1 of this Act or (ii) obtained
20 documentation from the pharmacist-in-charge of the
21 pharmacy where the applicant is employed verifying that he
22 or she has successfully completed a training program and
23 has successfully completed an objective assessment
24 mechanism prepared in accordance with rules established by
25 the Department.

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

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

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

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

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

14 (e) As a condition for the renewal of a certificate of
15 registration as a certified pharmacy technician, the
16 registrant shall provide evidence to the Department of
17 completion of a total of 20 hours of continuing pharmacy
18 education during the 24 months preceding the expiration date of
19 the certificate. One hour of continuing pharmacy education must
20 be in the subject of pharmacy law. One hour of continuing
21 pharmacy education must be in the subject of patient safety.
22 Such continuing education shall be approved by the
23 Accreditation Council for Pharmacy Education.

24 The Department shall establish by rule a means for the
25 verification of completion of the continuing education
26 required by this subsection (e). This verification may be

1 accomplished through audits of records maintained by
2 registrants, by requiring the filing of continuing education
3 certificates with the Department or a qualified organization
4 selected by the Department to maintain such records, or by
5 other means established by the Department.

6 Rules developed under this subsection (e) may provide for a
7 reasonable annual fee, not to exceed \$20, to fund the cost of
8 such recordkeeping. The Department shall, by rule, further
9 provide an orderly process for the reinstatement of a
10 registration that has not been renewed due to the failure to
11 meet the continuing pharmacy education requirements of this
12 this subsection (e). The Department may waive the requirements
13 of continuing pharmacy education, in whole or in part, in cases
14 of extreme hardship as defined by rule of the Department. Such
15 waivers shall be granted for not more than one of any 3
16 consecutive renewal periods.

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

18 Section 99. Effective date. This Act takes effect January
19 1, 2016.