

**Pharmacists Society of the State of New York
Student Pharmacists Society of the State of New York
New York State Council of Health System Pharmacists
Chain Pharmacy Association of New York
New York Chapter of the American Society of Consultant Pharmacists
New York State Chapter, American College of Clinical Pharmacy**

April 2017

MEMORANDUM IN SUPPORT of Pharmacy registration/certification

S5584-A, Griffo and A4611-A, Englebright

Pharmacy technicians are individuals who directly assist licensed pharmacists. Current law refers to pharmacy technicians as “unlicensed persons.” This bill replaces the term with the titles of “registered pharmacy technician” and “certified pharmacy technician,” strengthening the Education Department’s jurisdiction over these individuals. One year after this legislation is enacted into law, every pharmacy technician in New York will be SED-registered or certified.

The above-referenced organizations representing pharmacists across all practice settings wholeheartedly support this initiative to add another layer of public protection. Once enacted, it will be an additional safeguard against drug diversion.

The legislation defines pharmacy technicians as individuals who have access to prescription drugs and are either directly assisting a licensed pharmacist or have authority to add or to modify prescription records. Requirements for a registered pharmacy technician are:

- Be at least seventeen years of age;
- Meet good moral character standards established by the Department including a disclosure, under penalty of perjury, of convictions under penal law;
- At a minimum, have completed high school or earned a general equivalency diploma (GED), or be currently enrolled in a course of study leading graduation.

In the interest of preserving the positions current employees, the legislation authorizes the Education Department to issue registrations to experienced individuals who may not have met the education requirement but who are in good standing with their employer and have been employed as a pharmacy technician for at least five years, including at least eighteen consecutive months with the same employer.

In light of more rigorous demands on pharmacists and pharmacy personnel in acute care practice settings, the bill stipulates that pharmacy technicians employed in hospitals as well as those employed in outsourcing pharmacies under contract with hospitals to be certified technicians. A very important provision in the bill is that any technician directly assisting a pharmacist to compound medications in any practice setting must be certified

based on the pharmacy mathematics and compounding skills associated with certification. Requirements for a certified pharmacy technician are:

- Meet requirements for registered pharmacy technicians;
- Be at least eighteen years of age; and
- Have completed certified pharmacy technician requirements from a national certifying body acceptable to the department.

Again, in the interest of preserving the positions of current employees, the legislation authorizes the Education Department to issue certifications to experienced individuals who may not have met the education or certification requirements but who are employees in good standing and have been employed as a pharmacy technician in an Article 28 facility for a minimum of five of the previous eight years, including eighteen consecutive months with a single employer.

Individuals who have already achieved certification are deemed to be certified, provided that they file an application with SED within six months. Individuals who have passed a certification examination and have an application pending with the Department may be issued a limited permit. Students enrolled in a college of pharmacy are exempt from registration or certification.

Public health and safety are the most compelling reasons for passing this bill into law this session. According to the Institute for Healthcare Improvement, medication errors harm 15 million patients in U.S. Hospitals each year¹ and cost the healthcare system \$17 billion annually. Requiring certification for pharmacy technicians who directly assist pharmacists in New York's hospital pharmacies is reasonable and overdue. While a majority of hospital technicians may already be certified, this legislation assures that all will be certified and, most importantly, all will be subject to additional oversight from the Education Department's Office of Professional Discipline. In addition,, this bill establishes the fundamental principle that any pharmacy technician directly assisting a pharmacist in the compounding of medications must be certified regardless of practice site.

Requiring SED registration for pharmacy technicians in community pharmacies will help to prevent diversion. While many community pharmacies routinely screen prospective employees, the registration requirement provides an extra level of protection as potential employees are vetted. Surely, in the context of the prescription opioid crisis, this bill should be considered with some urgency.

Nothing in this legislation changes the responsibility of licensed pharmacists to supervise technicians working directly with them, nor does it lessen their responsibility to the patients who receive medications. New York is one of only five states that does not regulate pharmacy technicians. This legislation, while overdue, has been carefully constructed and represents a workable and sound public policy. For all of these reasons, the associations strongly support and recommend its passage.

¹Institute for Healthcare Improvement.

http://www.ihl.org/about/news/Documents/IHIPressRelease_IHILaunchesCampaignToReduceHarm_Dec06.pdf
Accessed March 30.16