

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1502

By: Standridge

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5
6 AS INTRODUCED

7 An Act relating to pharmacy; amending Section 12,
8 Chapter 230, O.S.L. 2015 (59 O.S. Supp. 2019, Section
9 353.18A), which relates to pharmacy technicians;
10 limiting duties of supportive personnel; establishing
11 certain pharmacy technician-to-pharmacist ratios;
12 providing certain exemptions and limitation to
13 exemptions; requiring certain training and licensure;
14 updating statutory language; and providing an
15 effective date.

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17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY Section 12, Chapter 230, O.S.L.
19 2015 (59 O.S. Supp. 2019, Section 353.18A), is amended to read as
20 follows:

21 Section 353.18A. A. 1. Supportive personnel may perform
22 certain tasks in the practice of pharmacy if such personnel perform
23 the tasks in compliance with rules promulgated by the State Board of
24 Pharmacy.

2. Only supportive personnel with a pharmacy technician permit
may perform duties related to dispensing. Such duties shall
include, but not be limited to, data entry, accessing the central

1 repository, filling prescriptions, drug utilization review, and any
2 other task related to dispensing.

3 B. 1. No person shall serve as a pharmacy technician without
4 first procuring a permit from the Board.

5 2. An application for an initial or renewal pharmacy technician
6 permit issued pursuant to the provisions of this subsection shall be
7 submitted to the Board and provide any other information deemed
8 relevant by the Board.

9 3. An application for an initial or renewal permit shall be
10 accompanied by a permit fee not to exceed ~~Seventy-Five~~ Seventy-five
11 Dollars (\$75.00) for each period of one (1) year. A permit issued
12 pursuant to this subsection shall be valid for a period to be
13 determined by the Board.

14 4. Every permitted pharmacy technician who fails to complete a
15 renewal form and remit the required renewal fee to the Board by the
16 fifteenth day after the expiration of the permit shall pay a late
17 fee to be fixed by the Board.

18 5. A pharmacy technician permit shall be cancelled thirty (30)
19 days after expiration.

20 6. A person may obtain reinstatement of a cancelled pharmacy
21 technician permit by making application, paying a reinstatement fee,
22 and satisfactorily completing other requirements set by the Board.

23 C. A pharmacy licensed exclusively as a hospital pharmacy that
24 does not conduct retail business and dispenses only sterile drugs

1 shall maintain a pharmacy technician-to-pharmacist ratio of not more
2 than four pharmacy technicians for every one licensed pharmacist.

3 D. 1. Except as provided by this subsection, a licensed
4 pharmacy, other than a pharmacy described in subsection C of this
5 section, shall maintain a pharmacy technician-to-pharmacist ratio of
6 not more than two pharmacy technicians for every one licensed
7 pharmacist.

8 2. A licensed pharmacy may utilize one additional pharmacy
9 technician exclusively for data entry duties; provided, that the
10 pharmacy technician shall be supervised at all times by a licensed
11 pharmacist.

12 3. a. In lieu of utilizing the additional pharmacy
13 technician for data entry duties as provided by
14 paragraph 2 of this subsection, a licensed pharmacy
15 that conducts significant non-sterile compounding may
16 utilize up to two additional pharmacy technicians
17 specifically trained in the art of pharmacy
18 compounding; provided, that the pharmacy technician or
19 technicians shall be supervised at all times by a
20 licensed pharmacist. Such pharmacy technician or
21 technicians may only perform tasks related to
22 compounding and shall have completed not less than
23 fifteen (15) hours of training as a non-sterile
24 compounding technician.

1 b. A licensed pharmacy that conducts any sterile
2 compounding shall not utilize additional pharmacy
3 technicians for compounding as provided by
4 subparagraph a of this paragraph. Furthermore, a
5 licensed pharmacy that conducts any sterile
6 compounding shall not utilize an additional pharmacy
7 technician for data entry duties as provided by
8 paragraph 3 of this subsection. Any technician
9 performing sterile compounding shall have been
10 licensed by the Board as a sterile compounding
11 technician and shall have completed not less than
12 thirty (30) hours of training in sterile compounding
13 prior to obtaining such license.

14 SECTION 2. This act shall become effective November 1, 2020.

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