

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 680
Department or Agency: Alabama State Board of Pharmacy
Rule No.: 680-X-2-.37
Rule Title: Continuing Education For Pharmacy Technicians
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Donna C. Yeatman
Donna Yeatman

Date

Thursday, March 14, 2024

REC'D & FILED
MAR 14, 2024

LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF PHARMACY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Pharmacy

RULE NO. & TITLE: 680-X-2-.37 Continuing Education For Pharmacy Technicians

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

The purpose of this amendment is to correct a statutory reference.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Public hearing will be at the Board business meeting May 22nd, 2024. Comments may be submitted beforehand via email to anolen@albop.com.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Tuesday, May 21, 2024

CONTACT PERSON AT AGENCY:

Anne Marie Nolen, PharmD  
anolen@albop.com

*Donna C. Yeatman*

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Donna Yeatman

(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

**Continuing Education For Pharmacy Technicians.**

(1) Pharmacy Technicians shall complete six (6) hours of continuing education within the renewal period, as a condition of registration renewal. By submitting the biennial renewal, a pharmacy technician is representing their compliance with this requirement by the end of the relevant renewal cycle.

(2) Section (1) shall not apply to pharmacy technicians applying for the first renewal of their registration. If a pharmacy technician has only been registered for one full calendar year, they shall complete three (3) hours of continuing education for the first renewal of their license. If a pharmacy technician has been licensed for less than one full calendar year, no continuing education is required for the first renewal of their license.

(3) In order to receive credit for continuing education, the continuing education shall be previously approved by the Board. Any requests for approval of continuing education shall be submitted to the Board no less than thirty (30) calendar days prior to offering of the continuing education. A condition of approval shall be that the continuing education is pertinent to the practice of pharmacy. However, this requirement shall not apply to ACPE approved continuing education courses for which a program number is available.

(4) Continuing Education may be completed by either attendance or by distance-based program, video or by publications; however, a pharmacy technician must complete at least two (2) hours of live continuing education through attendance at a course(s), within each renewal cycle. If a pharmacy technician has only been registered for one full calendar year, they must complete at least one (1) hour of live continuing education.

(5) It is the responsibility of each pharmacy technician to maintain and compile accurate records relating to all continuing education courses or activities they have attended and completed. It shall be the responsibility of each pharmacy technician to maintain above-described documentation and information pertaining to each renewal cycle for a period of two (2) years and this information shall be submitted to the Board of Pharmacy within thirty (30) calendar days after a request for the same by the Board.

(6) The Board of Pharmacy shall randomly audit the continuing education documentation or information to be maintained or submitted by each pharmacy technician as described herein to assure compliance with these rules. Failure to maintain the documentation or information set forth in these rules or the submission of false or misleading information or documentation to the Board of Pharmacy or failure to submit requested documentation or information within the time specified by the Board may subject the pharmacy technician, on the first violation to a non-disciplinary administrative penalty

authorized by Code of Ala. 1975, §34-23-~~132~~33 an amount not less than twenty five dollars (\$25.00) or more than one hundred dollars (\$100.0) as determined by the board.

(7) Upon written request to the Board of Pharmacy, and upon the demonstration of good and sufficient cause, the Board of Pharmacy may grant a waiver or extension of time for the completion of the annual hour requirements for continuing education as set forth herein. The pharmacy technician who seeks such a waiver or extension shall submit to the Board of Pharmacy any documentation required by the Board which the Board deems appropriate for it to make a decision concerning that waiver or extension.

(8) Any pharmacy technician who allows their registration to lapse for a minimum of one (1) calendar year but not more than five (5) calendar years, shall be required as a condition for reinstatement to provide documentation of their completion of three (3) hours of continuing education in the manner described above for each lapsed calendar year. If a registration is lapsed for more than five (5) calendar years, the Board may require as a condition for reinstatement any amount of continuing education deemed appropriate.

**Author:** ~~Donna C. Yeatman, R.Ph., Executive Secretary~~Alabama State Board of Pharmacy

**Statutory Authority:** Code of Ala. 1975, §34-23-~~92~~131.

**History: New Rule:** Filed July 6, 2006; effective August 10, 2006. **Amended:** Filed January 22, 2019; effective March 8, 2019. **Amended:** Published August 31, 2020; effective October 15, 2020. **Amended:** Published September 30, 2022; effective November 14, 2022. **Amended:** Published \_\_\_\_\_ ; effective \_\_\_\_\_ .