

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on Wednesday, November 20, 2024, and filed with the agency secretary on Tuesday, December 10, 2024.

AGENCY NAME: Alabama State Board of Pharmacy

INTENDED ACTION: Amend

RULE NO.: 680-X-2-.14

(If amended rule, give specific paragraph, subparagraphs, etc., being amended) **(2) (a) ; (3) ; (4) ; (5) ; (6) ; (7) ; (8) ; (9) ; (10) (a) ; (11)**

RULE TITLE: The Role Of Technicians In Pharmacies

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

Adopted with changes. Three comments were received in favor of the Rule changes. One comment was received requesting an increase in technician duties, but this could not be addressed by Rule, as it would first require change in statutory language.

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XLII, ISSUE NO. 12, AAM, DATED MONDAY, SEPTEMBER 30, 2024.

STATUTORY RULEMAKING AUTHORITY: 34-23-131

REC'D & FILED
(Date Filed)
(For LRS Use Only)
DEC 16, 2024
LEGISLATIVE SVC AGENCY

Donna C Yeatman

Donna Yeatman

Certifying Officer or his or her
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.)

680-X-2-.14

The Role Of Technicians In Pharmacies.

(1) Title 34, Chapter 23, Code of Ala. 1975, specifies that only persons licensed by the Board of Pharmacy may practice pharmacy. The practice of pharmacy shall mean the interpretation and evaluation of prescription orders; the compounding, dispensing, administering and labeling of drugs and devices; the participation in drug selection and drug utilization reviews and drug therapy management; the proper and safe storage of drugs and devices and the maintenance of proper records; the responsibility for advising, where necessary or where regulated, of therapeutic values, content, hazards and use of drugs and devices; and the offering or performing of those acts, services, operations or transactions necessary in the conduct, operation, management and control of pharmacy.

(2) The only other persons who may perform the above tasks other than a licensed pharmacist, and then only under the immediate direct supervision of a pharmacist, are the following:

(a) A permitted intern or extern as defined in Code of Ala. §34-23-1

(3) A registered pharmacy technician may assist in the above tasks under direct supervision; however, a technician shall not:

(a) Communicate, orally or in writing, any medical, therapeutic, clinical or drug information, or communicate any information recorded on a patient profile that requires professional judgment.

(b) Document the receipt of a controlled substance into inventory.

(c) Accept by oral communication a new prescription of any nature.

(d) Prepare a copy of a prescription or read a prescription to another person.

(e) Provide a prescription or medication to a patient without a pharmacist's verification as to the correctness of the prescription or medication. For the purpose of this rule, verification shall mean that the licensed pharmacist shall be aware of the patient profile, DUR, computer overrides and drug interactions as well as the correctness of the selected medication and labeling.

(f) Counsel a patient on medications or perform a drug utilization review.

(g) Perform any task that requires the professional judgment of a pharmacist.

(h) Perform any task that is in violation of any federal, state or local pharmacy regulations.

(4) In order to be registered as a pharmacy technician in this state, an applicant shall:

(a) Have submitted an application in a manner provided by the Board of Pharmacy.

(b) Have attained the age of seventeen (17).

(5) It is ruled by the Board of Pharmacy that the following ratio(s) of technicians on duty are sufficient in the prescription area of a retail pharmacy or an institutional pharmacy for each full-time licensed pharmacist on duty.

(a) Four (4) technicians, two of which shall be certified by any credentialing organization approved by the Board; or,

(b) Three (3) technicians, one of which shall be certified by any credentialing organization approved by the Board; or

(c) Two (2) technicians, neither of which is required to be certified by any credentialing organization approved by the Board

(d) Nothing in this rule shall prevent a pharmacy from employing technicians to perform supervised tasks not requiring professional judgment.

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

(7) All technicians shall wear a name tag, identifying them as such, while on duty.

(8) Each technician registered by the Board shall notify the board within 10 days on change of employment. The notice shall contain his/her name, registration number, the name of the pharmacy where formerly employed and the name of the pharmacy where currently employed.

(9) All pharmacy technicians shall register with the Alabama State Board of Pharmacy. This registration shall expire on December 31 of odd numbered years. The initial registration fee and renewal fee shall be sixty dollars (\$60). The registration shall only be considered successfully renewed once payment has been received and the renewal has been approved by the Board. If any pharmacy technician fails to pay a renewal fee on or before December 31 of any odd-numbered year, such registration shall become null and void, and the holder of such registration may be reinstated as a pharmacy technician only upon payment of a penalty of twenty dollars (\$20.00) for each lapsed year and all lapsed fees for each lapsed year, up to a maximum of 5 years of total penalties and lapsed fees.

(a) All technicians receiving their initial registration on or after January 1, 2020, shall complete a Board-approved training program within the first six months after their registration and submit evidence of completion to the board within 10 days of completion. The technician and the employing pharmacy shall keep documentation of this training for a period of two years from the completion of the training. The passage of a Board-recognized pharmacy technician certification examination shall be accepted as a training program. The Board may impose allowable sanctions for violation of this Rule against the employing pharmacy

permit holder, the supervising pharmacist of the employing pharmacy and/or the pharmacy technician.

(b) Every pharmacy technician registered by the Alabama State Board of Pharmacy shall, by December 31 of odd-numbered years, complete six (6) hours of continuing education, two (2) hours of which shall be 'live' presentation.

(10) The Alabama State Board of Pharmacy may refuse to issue a pharmacy technician registration whenever the Board finds by the preponderance of the evidence any of the following:

(a) That the applicant does not possess good moral character.

(b) That the applicant has willfully violated any of the provisions of Code of Ala. 1975, §34-24-1 et seq., or the Alabama Uniform Controlled Substances Act.

(c) That the applicant has willfully violated any rule or regulation promulgated in accordance with the provisions of Code of Ala. 1975, §34-24-1 et seq., or in accordance with the Alabama Uniform Controlled Substances Act.

(d) That the applicant has engaged in conduct which threatens the public health, safety or welfare.

(e) That the applicant has been convicted of a felony or a misdemeanor involving moral turpitude. A copy of the record of the conviction, certified by the Clerk of the Court entering the conviction, shall be conclusive evidence of the conviction.

(f) That the applicant has been convicted of a felony or misdemeanor involving a drug related offense of a legend drug or controlled substance. A copy of the record of the conviction, certified by the Clerk of the Court entering the conviction, shall be conclusive evidence of the conviction.

(g) That the applicant has been convicted of any crime or offense that reflects the inability of the applicant to engage in the performance of pharmacy technician functions with due regard for the health and safety to the public. A copy of the record of the conviction, certified by the Clerk of the Court entering the conviction, shall be conclusive evidence of the conviction.

(h) That the applicant has attempted to obtain a pharmacy technician registration by fraudulent means.

(i) That the applicant has violated any of the laws regulating the sale or dispensing of narcotics, exempt narcotics or drugs bearing the label "caution, federal law prohibits dispensing without prescription" or similar wording which causes the drugs to be classified as a prescription legend drug.

(j) That the applicant is unable to engage in the performance of pharmacy technician functions with reasonable skill and safety by reason of illness, inebriation, misuse

of drugs, narcotics, alcohol, chemicals or any other substance, or as a result of any mental or physical condition.

(k) The suspension, revocation or probation by another state of the applicant's license, permit or registration to practice as a pharmacy technician. A certified copy of the record of suspension, revocation or probation of the State making such suspension, revocation or probation shall be conclusive evidence of the suspension, revocation or probation.

(l) That the applicant refused to appear before the Board after having been ordered to do so in writing by the Executive Officer or President of the Board.

(m) That the applicant made any fraudulent or untrue statement to the Board.

(11) In addition to all other applicable requirements for registration or reinstatement as a pharmacy technician and a prerequisite for consideration of an application for registration or reinstatement as a pharmacy technician, each individual seeking registration or reinstatement of registration as a pharmacy technician shall consent and be subject to a Board approved criminal background check, the cost of which to be paid by the applicant. The information received as a result of the background check shall be relied upon in determining whether the applicant meets the applicable qualifications to obtain the referenced registration.

Author: ~~Donna C. Yeatman R.Ph., Executive Secretary~~ [Alabama State Board of Pharmacy](#)

Statutory Authority: Code of Ala. 1975, §~~34-23-31~~[34-23-131](#)

History: Filed June 1, 1982. **Amended:** Filed May 30, 1990.

Repealed and Replaced: Filed July 26, 1996; operative August 30, 1996; effective January 1, 1997. **Amended:** Filed February 13, 1997; effective March 20, 1997. **Amended:** Filed September 20, 1999; effective October 25, 1999. **Amended:** Filed April 11, 2001; effective May 16, 2001; operative January 1, 2002.

Amended: Filed July 1, 2002; effective August 5, 2002. **Amended:** Filed January 6, 2005; effective February 10, 2005. **Amended:** Filed November 1, 2005; refiled December 22, 2005; effective December 22, 2005. **Amended:** Filed September 22, 2009; effective October 27, 2009. **Amended:** Filed December 8, 2009; effective January 12, 2010. **Amended:** Filed January 30, 2012; effective March 5, 2012. **Amended:** Filed March 21, 2016; effective May 5, 2016. **Amended:** Filed July 25, 2016; effective September 8, 2016. **Amended:** Filed August 23, 2019; effective October 7, 2019. **Amended:** Published August 31, 2020; effective October 15, 2020. **Amended:** Published August 31, 2021; effective October 15, 2021. **Amended:** Published September 30, 2022; effective November 14, 2022. **Amended:** Published ~~_____~~; effective ~~_____~~ [December 31, 2024](#); effective [February 14, 2025](#).