

1 HB34
2 195956-2
3 By Representative Johnson
4 RFD: Boards, Agencies and Commissions
5 First Read: 05-MAR-19
6 PFD: 02/14/2019

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8 SYNOPSIS: Under existing law, a pharmacy technician is
9 required to be registered with the State Board of
10 Pharmacy before performing any pharmacy functions
11 and is required to pay a registration fee.

12 Thereafter, the registration is renewable by the
13 board biannually in odd-numbered years upon payment
14 of a renewal fee. If the pharmacy technician fails
15 to renew the registration, the pharmacy technician
16 is required to pay a penalty of not less than \$10
17 nor more than \$20 as set by the board for each
18 lapsed year and is required to pay all lapsed fees,
19 provided the lapsed time of reinstatement does not
20 exceed five years without examination by the board.

21 This bill would delete the five-year limit
22 on the time for reinstatement of the registration
23 of a pharmacy technician without examination by the
24 board and would limit the total penalties and
25 lapsed fees to a maximum of five years.

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27 A BILL

1 TO BE ENTITLED

2 AN ACT

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4 Relating to the State Board of Pharmacy; to amend
5 Section 34-23-131 of the Code of Alabama 1975, relating to the
6 registration of pharmacy technicians; to delete the time limit
7 for the reinstatement of the lapsed registration of a pharmacy
8 technician without examination by the board and limit the
9 penalties and late fees required to be paid to five years.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 34-23-131 of the Code of Alabama
12 1975, is amended to read as follows:

13 "§34-23-131.

14 "(a) A pharmacy technician shall not perform
15 pharmacy functions or be present in the prescription
16 department of a pharmacy unless he or she is under the direct
17 supervision of a licensed pharmacist. A pharmacy technician
18 shall not perform pharmacy functions or be present in the
19 prescription department of a pharmacy unless he or she is
20 registered by the board.

21 "(b) When supervision is required, a licensed
22 pharmacist shall be jointly responsible and liable for the
23 actions of a pharmacy technician.

24 "(c) A pharmacy technician shall register and pay a
25 fee as determined by the board before performing any pharmacy
26 functions. The board shall develop rules and regulations
27 relating to the registration of all pharmacy technicians. The

1 registration of a pharmacy technician shall be renewable
2 biennially in odd-numbered years upon payment of the required
3 renewal fee. The registration of each pharmacy technician
4 shall expire on December 31 of odd-numbered years. In order to
5 continue to be licensed, each registered pharmacy technician
6 shall pay a biennial renewal fee of not less than twenty
7 dollars (\$20), as determined by rule of the board, the fee
8 being due on October 31 and delinquent after December 31 of
9 odd-numbered years. The payment of the renewal fee shall
10 entitle the pharmacy technician to renewal of his or her
11 registration at the discretion of the board. If any pharmacy
12 technician fails to pay the renewal fee as required by this
13 subsection, he or she may be reinstated as a pharmacy
14 technician only upon payment of a penalty of not less than ten
15 dollars (\$10) nor more than twenty dollars (\$20), as
16 determined by rule of the board, for each lapsed year and all
17 lapsed fees for each lapsed year, ~~provided the lapsed time of~~
18 ~~registration shall not exceed five years, in which case~~
19 ~~reinstatement may be had only upon satisfactory examination by~~
20 ~~the board~~ up to a maximum of five years of total penalties and
21 lapsed fees.

22 "(d) In addition to any other registration
23 requirements, a pharmacy technician shall complete three hours
24 of continuing education annually, or six hours biennially, of
25 which one hour per year shall be live presentation. The board
26 may grant an extension to a pharmacy technician who fails to
27 complete the required continuing education hours in the

1 allotted time. A pharmacy technician who fails to complete the
2 annual continuing education requirements shall be subject to
3 disciplinary action by the board."

4 Section 2. This act shall become effective
5 immediately following its passage and approval by the
6 Governor, or its otherwise becoming law.