**A** **BILL**

TO AMEND SECTION 40-43-82(C) OF THE 1976 CODE, RELATING TO THOSE ACTIVITIES THAT A SUPERVISING PHARMACIST MAY AUTHORIZE A PHARMACY TECHNICIAN TO PERFORM, TO PROVIDE THAT CERTAIN ACTIVITIES MAY NOT BE PERFORMED IN AN OUTPATIENT SETTING; TO AMEND SECTION 40-43-82, BY ADDING A NEW SUBSECTION, TO PROVIDE THAT PHARMACY TECHNICIANS ARE EXEMPT FROM CONTINUING EDUCATION CREDITS DURING THE FIRST RENEWAL PERIOD FOLLOWING INITIAL REGISTRATION; TO AMEND SECTION 40-43-86(B)(4)(b), TO PROVIDE THAT A PHARMACIST MAY NOT SUPERVISE MORE THAN FOUR PHARMACY TECHNICIANS AT A TIME AND MAY SUPERVISE NO MORE THAN TWO NON-STATE CERTIFIED TECHNICIANS AT A TIME; AND TO AMEND SECTION 40-43-130(G), TO PROVIDE THAT PHARMACY TECHNICIANS ENROLLED IN A FORMAL PHARMACY TECHNICIAN PROGRAM ARE EXEMPT FROM CONTINUING EDUCATION REQUIREMENTS DURING THE PROGRAM AND FOR THE FIRST RENEWAL PERIOD FOLLOWING COMPLETION OF THE PROGRAM.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A. Section 40-43-82(C) of the 1976 Code is amended to read:

“(C)(1) Notwithstanding any other provision of this chapter, a supervising pharmacist may authorize a certified pharmacy technician to perform any of the following actions, including, but not limited to:

~~(1)~~(a) ~~receive~~ receiving and ~~initiate~~ initiating verbal telephone orders;

~~(2)~~(b) ~~conduct~~ conducting one time prescription transfers;

~~(3)~~(c) ~~check~~ checking a technician's refill of medications if the medication is to be administered by a licensed health care professional in an institutional setting; and

~~(4)~~(d) ~~check~~ checking a technician's repackaging of medications from bulk to unit dose in an institutional setting.

(2) Nothing in this section prevents the Board of Pharmacy from establishing duties for a certified technician.”

B. Section 40-43-82 is amended by adding an appropriately lettered new subsection to read:

“( ) Pharmacy technicians are exempt from continuing education requirements for the first renewal period following initial registration.”

SECTION 2. Section 40-43-86(B)(4)(b) of the 1976 Code is amended to read:

“(b) The pharmacist‑in‑charge shall develop and implement written policies and procedures to specify the duties to be performed by pharmacy technicians. The duties and responsibilities of these personnel shall be consistent with their training and experience. These policies and procedures shall, at a minimum, specify that pharmacy technicians are to be personally supervised by a licensed pharmacist who has the ability to control and who is responsible for the activities of pharmacy technicians and that pharmacy technicians are not assigned duties that may be performed only by a licensed pharmacist. One pharmacist may not supervise more than a total of four ~~three~~ pharmacy technicians at a time~~; through June 30, 2006, at least one of these three technicians must be state‑certified, and after June 30, 2006, at least two of these three technicians must be state‑certified~~, including both state certified and non-state certified technicians. One pharmacist may not supervise more than two non-state certified technicians at a time. If a pharmacist supervises only one or two pharmacy technicians, these technicians are not required to be state‑certified. Pharmacy technicians do not include personnel in the prescription area performing only clerical functions, including data entry up to the point of dispensing, as defined in Section 40‑43‑30(14).”

SECTION 3. Section 40-43-130(G) is amended by adding an appropriately numbered new item to read:

“( ) Pharmacy technicians are exempt from continuing education requirements while enrolled in a pharmacy technician program, as well as during the first renewal period following successful completion of the program.”

SECTION 4. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑