

STATE OF NEW YORK

3236

2025-2026 Regular Sessions

IN SENATE

January 24, 2025

Introduced by Sens. COONEY, GALLIVAN, HELMING, JACKSON, SEPULVEDA, WEBB
-- read twice and ordered printed, and when printed to be committed to
the Committee on Higher Education

AN ACT to amend the education law, in relation to allowing pharmacy
technicians to practice in any pharmacy under the supervision of a
pharmacist

The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:

1 Section 1. Subdivision 1 of section 6841 of the education law, as
2 added by chapter 414 of the laws of 2019, is amended to read as follows:
3 1. A registered pharmacy technician may, under the direct personal
4 supervision of a licensed pharmacist, assist such licensed pharmacist,
5 as directed, in compounding, preparing, labeling, or dispensing of drugs
6 used to fill valid prescriptions or medication orders or in compounding,
7 preparing, and labeling in anticipation of a valid prescription or medi-
8 cation order for a patient to be served by the facility, in accordance
9 with article one hundred thirty-seven of this title where such tasks
10 require no professional judgment. Such professional judgment shall only
11 be exercised by a licensed pharmacist. A registered pharmacy technician
12 may only practice [~~in a facility licensed in accordance with article~~
13 ~~twenty-eight of the public health law, or a pharmacy owned and operated~~
14 ~~by such a facility,~~] under the direct personal supervision of a licensed
15 pharmacist employed in such a [~~facility or~~] pharmacy. Such [~~facility~~
16 pharmacy] shall be responsible for ensuring that the registered pharmacy
17 technician has received appropriate training to ensure competence before
18 [~~he or she begins assisting~~] beginning to assist a licensed pharmacist
19 in compounding, preparing, labeling, or dispensing of drugs, in accord-
20 ance with this article and article one hundred thirty-seven of this
21 title. For the purposes of this article, direct personal supervision
22 means supervision of procedures based on instructions given directly by
23 a supervising licensed pharmacist who remains in the immediate area

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 where the procedures are being performed, authorizes the procedures and
2 evaluates the procedures performed by the registered pharmacy techni-
3 cians and a supervising licensed pharmacist shall approve all work
4 performed by the registered pharmacy technician prior to the actual
5 dispensing of any drug.

6 § 2. This act shall take effect immediately.