

5379

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. ENGLEBRIGHT, ALFANO -- Multi-Sponsored by -- M.
of A. BUTLER -- read once and referred to the Committee on Higher
Education

AN ACT to amend the education law, in relation to the certification of
pharmacy technicians

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. The education law is amended by adding a new section 6805-a
2 to read as follows:
3 S 6805-A. REQUIREMENTS FOR CERTIFICATION AS A PHARMACY TECHNICIAN. 1.
4 TO QUALIFY TO BE A PHARMACY TECHNICIAN, AN APPLICANT SHALL FULFILL THE
5 FOLLOWING REQUIREMENTS:
6 A. APPLICATION: FILE AN APPLICATION WITH THE DEPARTMENT;
7 B. EDUCATION: HAVE RECEIVED AN EDUCATION, INCLUDING: (I) HIGH SCHOOL
8 GRADUATION OR A GENERAL EQUIVALENCY DIPLOMA (GED); AND (II) SUCCESSFUL
9 COMPLETION OF A BOARD CERTIFICATION PROGRAM;
10 C. EXPERIENCE: HAVE EXPERIENCE SATISFACTORY TO THE BOARD AND IN
11 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;
12 D. EXAMINATION: PASS AN EXAMINATION SATISFACTORY TO THE BOARD AND IN
13 ACCORDANCE WITH THE COMMISSIONER'S REGULATIONS;
14 E. AGE: BE AT LEAST EIGHTEEN YEARS OF AGE; AND
15 F. CHARACTER: BE OF GOOD MORAL CHARACTER AS DETERMINED BY THE DEPART-
16 MENT INCLUDING HAVING NO FELONY OR DRUG RELATED CONVICTIONS.
17 2. NO PERSON SHALL ACT AS A PHARMACY TECHNICIAN UNLESS REGISTERED BY
18 THE BOARD.
19 3. FOR THE PURPOSES OF THIS SECTION:
20 A. "BOARD" SHALL MEAN THE STATE BOARD OF PHARMACY;
21 B. "PHARMACY TECHNICIAN" SHALL MEAN AN INDIVIDUAL DELEGATED DUTIES,
22 TASKS OR FUNCTIONS BY A LICENSED PHARMACIST TO FULFILL THEIR DUTY OF
23 PROVIDING HEALTH CARE PRODUCTS TO PATIENTS; AND

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

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1 C. "CERTIFIED PHARMACY TECHNICIAN" SHALL MEAN AN INDIVIDUAL WHO HAS
2 SUCCESSFULLY FULFILLED THE REQUIREMENTS TO OBTAIN PHARMACY TECHNICIAN
3 CERTIFICATION PURSUANT TO SUBDIVISION ONE OF THIS SECTION.

4 S 2. This act shall take effect on the first of January next succeed-
5 ing the date on which it shall have become a law; provided, however,
6 that effective immediately, the addition, amendment and/or repeal of any
7 rule or regulation necessary for the implementation of the provisions of
8 this act on its effective date is authorized and directed to be made and
9 completed on or before such effective date.