

# STATE OF NEW YORK

8545

## IN SENATE

February 12, 2024

Introduced by Sen. COONEY -- 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 registered pharmacy technicians

The People of the State of New York, represented in Senate and Assembly, 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 administer the same immunizations as licensed pharmacists are  
13 authorized to administer under the direct supervision of a licensed  
14 pharmacist consistent with the training and other requirements in arti-  
15 cle one hundred thirty-seven of this title. A registered pharmacy tech-  
16 nician may only practice [~~in a facility licensed in accordance with~~  
17 ~~article twenty-eight of the public health law, or a pharmacy owned and~~  
18 ~~operated by such a facility,~~] under the direct [~~personal~~] supervision of  
19 a licensed pharmacist employed in such a [~~facility or~~] pharmacy. Such  
20 [~~facility~~] pharmacy shall be responsible for ensuring that the regis-  
21 tered pharmacy technician has received appropriate training to ensure  
22 competence before he or she begins assisting a licensed pharmacist in  
23 compounding, preparing, labeling, administering immunizations or  
24 dispensing of drugs, in accordance with this article and article one  
25 hundred thirty-seven of this title. For the purposes of this article,  
26 direct [~~personal~~] supervision means supervision of procedures based on  
27 instructions given directly by a supervising licensed pharmacist who  
28 [~~remains in the immediate area where the procedures are being performed~~]

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

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1 is immediately available, authorizes the procedures and evaluates the  
2 procedures performed by the registered pharmacy technicians and a super-  
3 vising licensed pharmacist shall approve all work performed by the  
4 registered pharmacy technician prior to the actual dispensing of any  
5 drug.

6 § 2. This act shall take effect immediately.