

STATE OF NEW YORK

3731--A

2025-2026 Regular Sessions

IN ASSEMBLY

January 30, 2025

Introduced by M. of A. BRONSON, SIMON, STECK, STIRPE -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to permitting certain registered pharmacy technicians to assist a licensed pharmacist in preparing prescriptions in certain facilities

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~~] shall only practice in a facility licensed in accordance with
13 article twenty-eight of the public health law, [~~or~~] a pharmacy owned and
14 operated by such a facility, or a qualified home infusion therapy
15 supplier, under the direct personal supervision of a licensed pharmacist
16 employed [~~in~~] by such a facility or pharmacy. Such facility shall be
17 responsible for ensuring that the registered pharmacy technician has
18 received appropriate training to ensure competence before [~~he or she~~]
19 such registered pharmacy technician begins assisting a licensed pharma-
20 cist in compounding, preparing, labeling, or dispensing of drugs, in
21 accordance with this article and article one hundred thirty-seven of
22 this title. For the purposes of this article, direct personal super-

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

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1 vision means supervision of procedures based on instructions given
2 directly by a supervising licensed pharmacist who remains in the immedi-
3 ate area where the procedures are being performed, authorizes the proce-
4 dures and evaluates the procedures performed by the registered pharmacy
5 technicians and a supervising licensed pharmacist shall approve all work
6 performed by the registered pharmacy technician prior to the actual
7 dispensing of any drug.

8 § 2. Section 6842 of the education law is amended by adding a new
9 subdivision 6 to read as follows:

10 6. "Qualified home infusion therapy supplier" shall have the same
11 meaning as defined by 42 U.S.C. § 1395x.

12 § 3. This act shall take effect immediately.