STATE OF NEW YORK

5152--A

2025-2026 Regular Sessions

IN ASSEMBLY

February 12, 2025

Introduced by M. of A. SOLAGES, BRONSON, COLTON, ANGELINO, SIMONE, LEVENBERG, SHRESTHA, STIRPE, P. CARROLL, McMAHON, KAY, LUPARDO, CHLUDZINSKI, LUNSFORD, BOLOGNA, McDONALD, REYES -- 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 registered pharmacy technicians

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

Section 1. Subdivision 1 of section 6841 of the education law, as added by chapter 414 of the laws of 2019, is amended to read as follows:

1. A registered pharmacy technician may, under the direct [~~personal~~] supervision of a licensed pharmacist, assist such licensed pharmacist, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders or in compounding, preparing, and labeling in anticipation of a valid prescription or medication order for a patient to be served by the [~~facility~~] **pharmacy**, in accordance with article one hundred thirty-seven of this title where such tasks require no professional judgment. Such professional judgment shall only be exercised by a licensed pharmacist. **A registered pharmacy technician may administer the same immunizations as licensed pharmacists are authorized to administer under the direct supervision of a licensed pharmacist consistent with the training and other requirements in article one hundred thirty-seven of this title as determined by the department. Training shall include certification in cardio pulmonary resuscitation or basic life support. A registered pharmacy technician shall obtain an immunization certificate from the department after demonstrating that they have met all requirements and prior to administering immunizations.** A registered pharmacy technician may only practice [~~in a facility licensed in accordance with article twenty-eight of the public~~

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

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~~health law, or a pharmacy owned and operated by such a facility,~~] under the direct [~~personal~~] supervision of a licensed pharmacist employed in such a [~~facility or~~] pharmacy. Such [~~facility~~] **pharmacy** shall be responsible for ensuring that the registered pharmacy technician has received appropriate training to ensure competence before [~~he or she~~] **the registered pharmacy technician** begins assisting a licensed pharmacist in compounding, preparing, labeling, **administering immunizations** or dispensing of drugs, in accordance with this article and article one hundred thirty-seven of this title. For the purposes of this article, direct [~~personal~~] supervision means supervision of procedures based on instructions given directly by a supervising licensed pharmacist who remains in the immediate area where the procedures are being performed **or is immediately available at the same location where an immunization is being administered**, authorizes the procedures and evaluates the procedures performed by the registered pharmacy technicians and a supervising licensed pharmacist shall approve all work performed by the registered pharmacy technician prior to the actual dispensing of any drug.

§ 2. This act shall take effect immediately.