

# STATE OF NEW YORK

3236--A

Cal. No. 454

2025-2026 Regular Sessions

## IN SENATE

January 24, 2025

Introduced by Sens. COONEY, ADDABBO, BORRELLO, GALLIVAN, HELMING, JACKSON, MAY, SEPULVEDA, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, passed by Senate and delivered to the Assembly, recalled, vote reconsidered, restored to third reading, amended and ordered reprinted, retaining its place in the order of third reading

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 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~~] pharmacy, in  
9 accordance with article one hundred thirty-seven of this title where  
10 such tasks require no professional judgment. Such professional judgment  
11 shall only be exercised by a licensed pharmacist. A registered pharmacy  
12 technician may 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,~~] under the direct personal supervision of a  
15 licensed pharmacist employed in such a [~~facility~~ or] pharmacy. Such  
16 [~~facility~~] pharmacy shall be responsible for ensuring that the regis-  
17 tered pharmacy technician has received appropriate training to ensure  
18 competence before [~~he or she begins assisting~~] beginning to assist a

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

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1 licensed pharmacist in compounding, preparing, labeling, or dispensing  
2 of drugs, in accordance with this article and article one hundred thir-  
3 ty-seven of this title. For the purposes of this article, direct  
4 personal supervision means supervision of procedures based on  
5 instructions given directly by a supervising licensed pharmacist who  
6 remains in the immediate area where the procedures are being performed,  
7 authorizes the procedures and evaluates the procedures performed by the  
8 registered pharmacy technicians and a supervising licensed pharmacist  
9 shall approve all work performed by the registered pharmacy technician  
10 prior to the actual dispensing of any drug.

11 § 2. This act shall take effect immediately.