

# 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.