§ 6832. Limitations on assistance of an unlicensed person. 1. Subject to the limitations set forth in subdivision two of this section, an unlicensed person may assist a licensed pharmacist in the dispensing of drugs by:

(a) receiving written or electronically transmitted prescriptions, except that in the case of electronically transmitted prescriptions the licensed pharmacist or pharmacy intern shall review the prescription to determine whether in his or her professional judgment it shall be accepted by the pharmacy, and if accepted, the licensed pharmacist or pharmacy intern shall enter his or her initials into the records of the pharmacy;

(b) typing prescription labels;

(c) keying prescription data for entry into a computer-generated file or retrieving prescription data from the file, provided that such computer-generated file shall provide for verification of all information needed to fill the prescription by a licensed pharmacist prior to the dispensing of the prescription, meaning that the licensed pharmacist shall review and approve such information and enter his or her initials or other personal identifier into the recordkeeping system prior to the dispensing of the prescription or of the prescription refill;

(d) getting drugs from stock and returning them to stock;

(e) getting prescription files and other manual records from storage and locating prescriptions;

(f) counting dosage units of drugs;

(g) placing dosage units of drugs in appropriate containers;

(h) affixing the prescription label to the containers;

(i) preparing manual records of dispensing for the signature or initials of the licensed pharmacist;

(j) handing or delivering completed prescriptions to the patient or the person authorized to act on behalf of the patient and, in accordance with the relevant commissioner's regulations, advising the patient or person authorized to act on behalf of the patient of the availability of counseling to be conducted by the licensed pharmacist or pharmacy intern; and

(k) performing other functions as defined by the commissioner's regulations.

2. Except for a licensed pharmacist employed by a facility licensed in accordance with article twenty-eight of the public health law or a pharmacy owned and operated by such a facility, as defined in article one hundred thirty-seven-A of this title, no licensed pharmacist shall obtain the assistance of more than four unlicensed persons, in the performance of the activities that do not require licensure, the total of such persons shall not exceed four individuals at any one time. Pharmacy interns shall be exempt from such ratios, but shall be supervised in accordance with the commissioner's regulations. Individuals who are responsible for the act of placing drugs which are in unit-dose packaging into medication carts as part of an approved unit-dose drug distribution system for patients in institutional settings shall be exempt from such ratio, provided that such individuals are not also engaged in performing the activities set forth in paragraph (b), (c), (d), (e), (f), (g), (h) or (i) of subdivision one of this section. The licensed pharmacist shall provide the degree of supervision of such persons as may be appropriate to ensure compliance with the relevant provisions of regulations of the commissioner.