

# ASSEMBLY, No. 2541

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 21, 2012

**Sponsored by:**

**Assemblyman RUBEN J. RAMOS, JR.**

**District 33 (Hudson)**

**SYNOPSIS**

Reduces tasks that may be performed by pharmacy technicians.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning pharmacy technicians and amending P.L.2003,  
2 c.280.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 41 of P.L.2003, c.280 (C.45:14-80) is amended to  
8 read as follows:

9 41. a. Pharmacy technicians may assist a licensed pharmacist in  
10 performing the following tasks:

11 (1) Retrieval of prescription files, patient files and profiles and  
12 other records, as determined by the board, pertaining to the practice  
13 of pharmacy; and

14 (2) Data entry **【**;

15 (3) Label preparation; and

16 (4) Counting, weighing, measuring, pouring and compounding  
17 of prescription medication or stock legend drugs and controlled  
18 substances, including the filling of an automated medication  
19 system**】**.

20 b. Pharmacy technicians may accept authorization from a  
21 patient for a prescription refill, or from a physician or the  
22 physician's agent for a prescription renewal, provided that the  
23 prescription remains unchanged. As used in this section,  
24 "prescription refill" means the dispensing of medications pursuant  
25 to a prescriber's authorization provided on the original prescription  
26 and "prescription renewal" means the dispensing of medications  
27 pursuant to a practitioner's authorization to fill an existing  
28 prescription that has no refills remaining.

29 c. Pharmacy technicians shall not:

30 (1) Receive new verbal prescriptions;

31 (2) Interpret a prescription or medication order for therapeutic  
32 acceptability and appropriateness;

33 (3) Verify dosage and directions;

34 (4) Engage in prospective drug review;

35 (5) Provide patient counseling;

36 (6) Monitor prescription usage;

37 (7) Override computer alerts without first notifying the  
38 pharmacist;

39 (8) Transfer prescriptions from one pharmacy to another  
40 pharmacy; or

41 (9) Violate patient confidentiality.

42 d. Except as provided in subsection e. of this section, a  
43 pharmacist shall not supervise more than two pharmacy technicians.

**EXPLANATION** – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 e. A pharmacy that wishes to employ a licensed pharmacist to  
2 pharmacy technician ratio greater than established in accordance  
3 with subsection d. of this section, shall:

4 (1) Establish written job descriptions, task protocols and  
5 policies and procedures that pertain to the duties performed by the  
6 pharmacy technician;

7 (2) Ensure and document that each pharmacy technician pass the  
8 National Pharmacy Technician Certification Examination or a board  
9 approved certification program and fulfill the requirements to  
10 maintain this status, or complete a program which includes a testing  
11 component and which has been approved by the board as satisfying  
12 the criteria as set forth in subsection f. of this section;

13 (3) Ensure that each pharmacy technician is knowledgeable in  
14 the established job descriptions, task protocols and policies and  
15 procedures in the pharmacy setting in which the technician is to  
16 perform his duties;

17 (4) Ensure that the duties assigned to any pharmacy technician  
18 do not exceed the established job descriptions, task protocols and  
19 policies and procedures;

20 (5) Ensure that each pharmacy technician receives in-service  
21 training before the pharmacy technician assumes his responsibilities  
22 and maintain documentation thereof;

23 (6) Require and maintain on site a signed patient confidentiality  
24 statement from each technician;

25 (7) Provide immediate personal supervision; and

26 (8) Provide the board, upon request, with a copy of the  
27 established job descriptions, task protocols and policies and  
28 procedures for all pharmacy technician duties.

29 f. If the pharmacist to pharmacy technician ratio is greater than  
30 the ratio established in accordance with the provisions of subsection  
31 d. of this section, the pharmacy shall maintain a policy and  
32 procedure manual with regard to pharmacy technicians, which shall  
33 include the following:

34 (1) Supervision by a pharmacist;

35 (2) Confidentiality safeguards of patient information;

36 (3) Minimum qualifications;

37 (4) Documentation of in-service education or ongoing training  
38 and demonstration of competency, specific to practice site and job  
39 function;

40 (5) General duties and responsibilities of pharmacy technicians;

41 (6) Retrieval of prescription files, patient files, patient profile  
42 information and other records pertaining to the practice of  
43 pharmacy;

44 (7) Functions related to prescription processing;

45 (8) Functions related to prescription legend drug and controlled  
46 dangerous substance ordering and inventory control;

47 (9) Prescription refill and renewal authorization;

## 4

25       2. This act shall take effect on the 30th day following  
26 enactment.

## 30

Under the current provisions of section 41 of P.L.2003, c.280 (C.45:14-80), a pharmacy technician may assist a licensed pharmacist to perform various tasks, including: label preparation; and counting, weighing, measuring, pouring and compounding of prescription medication or stock legend drugs and controlled substances. The bill amends this section of law by removing authorization for a pharmacy technician to engage in the aforementioned tasks.