

6-9

Secretary of State
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on April 5, 2006 by the
Oregon Board of Pharmacy
Agency and Division
Administrative Rules Chapter Number

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to become effective upon filing. Rulemaking Notice was published in the March 2006 Oregon Bulletin.
** Date upon filing or later Month and Year

RULE CAPTION

Changes rules for Pharmacy Technicians, requires technicians to obtain certification by September 2008
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:

855-025-0005, 855-025-0010, 855-025-0015, 855-025-0020, 855-025-0025, 855-025-0030, 855-025-0035, 855-025-0040, 855-025-0060

AMEND: 855-006-0005, 855-025-0001, 855-025-0050, 855-110-0005

REPEAL: 855-006-0010, 855-041-0200, 855-041-0203, 855-041-0205

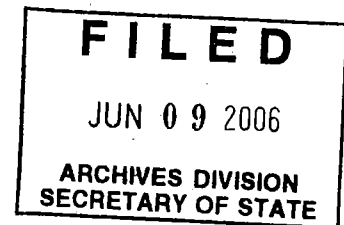
RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 689.205

Other Auth.:

Stats. Implemented: ORS 689.155



RULE SUMMARY

These rules implement 2005 changes to the laws governing pharmacy technicians and adopt, repeal or amend rules related to virtually all aspects of licensing and employment of pharmacy technicians. The rules require a pharmacy technician to obtain certification by passing a national certification examination by a specified date, unless the pharmacy technician is under the age of 18. The rules set continuing education requirements for technicians; set licensure and renewal requirements for technicians; set recordkeeping responsibilities for technicians; describe how technicians may be used within a pharmacy; establish confidentiality requirements; specify supervision responsibilities for pharmacists who supervise technicians; define "unprofessional conduct" of technicians; and explain how a technician's license may be reinstated after revocation, suspension or limitation.

G. A. Schnabel
Authorized Signer

Gary A. Schnabel
Printed name

6/5/06
Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

ARC 930-2005

BP 1-2006

Definitions

As used in ORS Chapter 689 and OAR Chapter 855:

(1) "Certified Pharmacy Technician" means a person licensed by the State Board of Pharmacy who assists the pharmacist in the practice of pharmacy pursuant to rules of the Board and has completed the specialized education program pursuant to OAR 855-025-0005. Persons used solely for clerical duties, such as record keeping, cashiering, bookkeeping and delivery of medications released by the pharmacist are not considered pharmacy technicians.

(2) "Collaborative Drug Therapy Management" means the participation by a pharmacist in the management of drug therapy pursuant to a written protocol that includes information specific to the dosage, frequency, duration and route of administration of the drug, authorized by a practitioner and initiated upon a prescription order for an individual patient and:

(a) Is agreed to by one pharmacist and one practitioner; or

(b) Is agreed to by one or more pharmacists at a single pharmacy registered by the board and one or more practitioners in a single organized medical group, such as a hospital medical staff, clinic or group practice, including but not limited to organized medical groups using a pharmacy and therapeutics committee.

(3) "Compounding" means the preparation, mixing, assembling, packaging, or labeling of a drug or device (i) as the result of a practitioner's prescription drug order or initiative based on the practitioner/patient/pharmacist relationship in the course of professional practice, or (ii) for the purpose of, or as an incident to, research, teaching, or chemical analysis and not for sale or dispensing. Compounding also includes the preparation of drugs or devices in anticipation of prescription drug orders based on routine, regularly observed prescribing patterns.

(4) "Confidential Information" means any patient information obtained by a pharmacist or pharmacy.

(5) The "Container" is the device that holds the drug and that is or may be in direct contact with the drug.

(6) "Dispensing" means the preparation and delivery of a prescription drug pursuant to a lawful order of a practitioner in a suitable container appropriately labeled for subsequent administration to or use by a patient or other individual entitled to receive the prescription drug.

(7) "Interpretation and evaluation of prescription orders" means the review of the order for therapeutic and legal correctness. Therapeutic review includes identification of the prescription drug ordered, its applicability and its relationship to the other known medications used by the patient and determination of whether or not the dose and time interval of administration are within accepted limits of safety. The legal review for correctness of the prescription order includes a determination that the order is valid and has not been altered, is not a forgery, is prescribed for a legitimate medical purpose, contains all information required by federal and state law, and is within the practitioner's scope of practice.

(8) "Labeling" means the process of preparing and affixing of a label to any drug container exclusive, however, of the labeling by a manufacturer, packer or distributor of a non-prescription drug or commercially packaged legend drug or device.

(9) "Monitoring of therapeutic response or adverse effect of drug therapy" means the follow up of the therapeutic or adverse effect of medication upon a patient, including direct consultation with the patient or his agent and review of patient records, as to result and side effect, and the analysis of possible interactions with other medications that may be in the medication regimen of the patient. This section shall not be construed to prohibit monitoring by practitioners or their agents.

(10) "Nationally Certified Exam" means an exam that is approved by the Board which demonstrates successful completion of a Specialized Education Program. The exam must be reliable, psychometrically sound, legally defensible and valid.

(11) "Non-legend drug" means a drug which does not require dispensing by prescription and which is not restricted to use by practitioners only.

(12) "Offering or performing of those acts, services, operations or transactions necessary in the conduct, operation, management and control of pharmacy" means, among other things:

- (a) The creation and retention of accurate and complete patient records;
- (b) Assuming authority and responsibility for product selection of drugs and devices;
- (c) Developing and maintaining a safe practice setting for the pharmacist, for pharmacy staff and for the general public;
- (d) Maintaining confidentiality of patient information.

(13) "Oral Counseling" means an oral communication process between a pharmacist and a patient or a patient's agent in which the pharmacist obtains information from the patient (or agent) and the patient's pharmacy records, assesses that information and provides the patient (or agent) with professional advice regarding the safe and effective use of the prescription drug for the purpose of assuring therapeutic appropriateness.

(14) Participation in Drug Selection and Drug Utilization Review:

(a) "Participation in drug selection" means the consultation with the practitioner in the selection of the best possible drug for a particular patient.

(b) "Drug utilization review" means evaluating a prescription drug order in light of the information currently provided to the pharmacist by the patient or the patient's agent and in light of the information contained in the patient's record for the purpose of promoting therapeutic appropriateness by identifying potential problems and consulting with the prescriber, when appropriate. Problems subject to identification during drug utilization review include, but are not limited to:

(A) Over-utilization or under-utilization;

(B) Therapeutic duplication;

(C) Drug-disease contraindications;

(D) Drug-drug interactions;

(E) Incorrect drug dosage;

(F) Incorrect duration of treatment;

(G) Drug-allergy interactions; and

(H) Clinical drug abuse or misuse.

(15) "Pharmaceutical Care" means the responsible provision of drug therapy for the purpose of achieving definite outcomes that improve a patient's quality of life. These outcomes include:

(a) Cure of a disease;

(b) Elimination or reduction of a patient's symptomatology;

(c) Arrest or slowing of a disease process; or

(d) Prevention of a disease or symptomatology.

(16) "Pharmacy Technician" means a person licensed by the State Board of Pharmacy who assists the pharmacist in the practice of pharmacy pursuant to rules of the Board but has not completed the specialized education program pursuant to OAR 855-025-0005.

(17) "Prescription released by the pharmacist" means, a prescription which has been reviewed by the pharmacist that does not require further pharmacist intervention such as reconstitution or counseling.

(18) "Proper and safe storage of drugs and devices and maintenance of proper records therefore" means housing drugs and devices under conditions and circumstances that:

- (a) Assure retention of their purity and potency;
- (b) Avoid confusion due to similarity of appearance, packaging, labeling or for any other reason;
- (c) Assure security and minimize the risk of their loss through accident or theft;
- (d) Accurately account for and record their receipt, retention, dispensing, distribution or destruction;
- (e) Protect the health, safety and welfare of the pharmacist, pharmacy staff and the general public from harmful exposure to hazardous substances.

(19) "Responsibility for advising, when necessary or when regulated, of therapeutic values, content, hazards and use of drugs and devices" means advice directly to the patient, either verbally or in writing as required by these rules or federal regulation, of the possible therapeutic response to the medication, the names of the chemicals in the medication, the possible side effects of major importance, and the methods of use or administration of a medication.

(20) "Specialized Education Program" means,

- (a) A program providing education for persons desiring licensure as pharmacy technicians that is approved by the board and offered by an accredited college or university that grants a two-year degree upon successful completion of the program; or
- (b) A structured program approved by the board and designed to educate pharmacy technicians in one or more specific issues of patient health and safety that is offered by:
 - (A) An organization recognized by the board as representing pharmacists or pharmacy technicians;
 - (B) An employer recognized by the board as representing pharmacists or pharmacy technicians; or
 - (C) A trade association recognized by the board as representing pharmacies.

(21) "Supervision by a pharmacist" means being stationed within the same work area as the pharmacy technician or certified pharmacy technician being supervised, coupled with the ability to control and be responsible for the pharmacy technician or certified pharmacy technician's action.

(22) "Therapeutic substitution" means the act of dispensing a drug product with a different chemical structure for the drug product prescribed under circumstances where

the prescriber has not given clear and conscious direction for substitution of the particular drug for the one which may later be ordered.

(23) "Unprofessional conduct" means;

(a) Repeated or gross negligence in the practice of pharmacy; or

(b) Fraud or misrepresentation in dealings relating to pharmacy practice with:

(A) Customers, patients or the public;

(B) Practitioners authorized to prescribe drugs, medications or devices;

(C) Insurance companies;

(D) Wholesalers, manufactures or distributors of drugs, medications or devices;

(E) Health care facilities;

(F) Government agencies; or

(c) Illegal use of drugs, medications or devices without a practitioner's prescription, or otherwise contrary to federal or state law or regulation;

(d) Theft of drugs, medications or devices, or theft of any other property or services under circumstances which bear a demonstrable relationship to the practice of pharmacy;

(e) Dispensing a drug, medication or device where the pharmacist knows or should know due to the apparent circumstances that the purported prescription is bogus or that the prescription is issued for other than a legitimate medical purpose, including circumstances such as:

(A) Type of drug prescribed;

(B) Amount prescribed; or

(C) When prescribed out of context of dose.

(f) Any act or practice relating to the practice of pharmacy which is prohibited by state or federal law or regulation.

(g) The disclosure of confidential information in violation of Board rule.

(h) Engaging in collaborative drug therapy management in violation of ORS Chapter 689 and the rules of the Board.

(24) "Verification" means the confirmation by the pharmacist of the correctness, exactness, accuracy and completeness of the acts, tasks, or functions performed by a pharmacy technician and certified pharmacy technician.

DIVISION 025

Certified Pharmacy Technicians and Pharmacy Technicians

Transition from registration of technician to licensure of technician

855-025-0001

(1) Effective June 28, 2005, pharmacy technicians ceased to be registered and became licensed. As part of licensure, pharmacy technicians are now subject to disciplinary action by the Board and subject to specialized education and training requirements established by the Board. This rule provides a framework for the transition from registration to licensure.

(2) The existing Board file containing information on each registered pharmacy technician or applicant for registration as a pharmacy technician remains in effect when the registration program transitions to a licensure program. Pharmacy technicians and applicants need not resubmit application material or other information to the Board because of the transition to licensure unless the Board specifically requests resubmission. Complaints, investigations, renewal information, criminal history information and registration history information remain in effect and carry over into the licensing history for each pharmacy technician or applicant.

Qualifications for Licensure as a Pharmacy Technician or Certified Pharmacy Technician

855-025-0005

(1) Effective August 1, 2006, to qualify for licensure as a certified pharmacy technician, an applicant must demonstrate that the applicant is or will be at least 18 years of age and holds or will hold a high school diploma or GED at the time the Board issues the license.

(2) No person whose license to practice as a pharmacist has been denied, revoked, suspended or restricted by the Board may be licensed as a pharmacy technician or certified pharmacy technician unless the Board determines that licensure will pose no danger to patients or to the public interest.

Renewal of Licensure as a Pharmacy Technician Requires Certification

855-025-0010

(1) The purpose of this rule is to ensure that all pharmacy technicians in Oregon become certified pharmacy technicians by passing a certification examination accepted by the Board. This rule requires all current pharmacy technicians to become certified by October 1, 2008, and gives all new pharmacy technicians until October 1, 2008, one year after initial licensure, or prior to the pharmacy technician's 19th birthday, whichever is later, to obtain certification.

(2) The license of a pharmacy technician expires one year from the date upon which it is issued, and may be renewed only if:

(a) The applicant has become certified by taking and passing one of the examinations described in section three or

(b) The applicant is less than 18 years of age.

(3) For any pharmacy technician license that expires on or after September 30, 2008, an applicant to renew a pharmacy technician license must demonstrate that the applicant for renewal has taken and passed the national pharmacy technician certification examination given by either:

(a) The Pharmacy Technician Certification Board (PTCB) or

(b) The Institute for the Certification of Pharmacy Technicians (ICPT).

(4) The license of a certified pharmacy technician expires on September 30 of each year and must be renewed annually.

(5) Notwithstanding any other provision of these rules, a pharmacy technician who is less than 18 years of age need not take and pass a certified pharmacy technician examination.

(6) Applicants for licensure or renewal of licensure as a pharmacy technician must submit to a criminal background check.

Renewal of Licensure as a Certified Pharmacy Technician

855-025-0015

(1) Licensed pharmacy technicians who have taken and passed a certification examination listed in OAR 855-025-0010(3) may use the title "certified pharmacy technician," are referred to in these rules as a "certified pharmacy technician," and are licensed as a "certified pharmacy technician."

(2) An applicant for renewal of a certified pharmacy technician license must:

(a) Maintain certification by one of the organizations listed in OAR 855-025-0010(3) and

(b) During each period from September 1 through August 31, complete and report at least one hour of pharmacy law, appropriate to the applicant's work setting and functions. Fifty minutes equal one contact hour.

(c) Submit to a criminal background check.

(3) The Board may randomly select and audit applications for renewal to verify completion of the continuing education reported on the application for renewal. Certified pharmacy technicians whose applications for renewal are selected for audit must provide documentation of completion of the continuing education reported.

Recordkeeping Responsibilities of Pharmacy Technicians and Certified Pharmacy Technicians

855-025-0020

(1) Certified pharmacy technicians and pharmacy technicians must notify the Board in writing within 15 days of a change of home address.

(2) Certified pharmacy technicians and pharmacy technicians must notify the Board in writing within 15 days of employment of the name and address of the pharmacy by which they are employed. A certified pharmacy technician or pharmacy technician who is employed at more than one pharmacy need only report the name and address of the pharmacy at which the technician normally works the most hours.

(3) Certified pharmacy technicians must obtain certificates of completion that show the date and number of hours earned to document continuing education credit earned and must keep the certificates of completion for three years from the date of the program.

Use of Pharmacy Technicians and Certified Pharmacy Technicians

855-025-0025

(1) A pharmacist or pharmacy may use pharmacy technicians and certified pharmacy technicians only as authorized by the rules of the Board.

(2) Pharmacy technicians and certified pharmacy technicians must be supervised by a pharmacist.

(3) Pharmacists, pharmacist interns, pharmacy technicians and certified pharmacy technicians must be clearly identified as such to the public.

(4) Work performed by pharmacy technicians and certified pharmacy technicians assisting the pharmacist to prepare medications must be verified by a pharmacist prior to release for patient use. Verification must be documented, available and consistent with the standard of practice.

(5) The pharmacist-in-charge must prepare and maintain in the pharmacy written procedures that describe the tasks performed by pharmacy technicians and certified pharmacy technicians, and the methods of verification and documentation of work

performed by pharmacy technicians and certified pharmacy technicians. Written procedures must be available for inspection by the Board or its representatives. The pharmacist-in-charge must review written procedures annually and document that review on the annual pharmacist-in-charge inspection sheet.

(6) Training:

(a) The pharmacist-in charge must outline, and each pharmacy technician and certified pharmacy technician must complete initial training that includes on-the-job and related education commensurate with the tasks that the pharmacy technician or certified pharmacy technician will perform, prior to the performance of those tasks.

(b) The pharmacist-in-charge must ensure the continuing competency of pharmacy technicians and certified pharmacy technicians.

(c) The pharmacist-in-charge must document initial training of each pharmacy technician and certified pharmacy technician and make that documentation available to the Board or its representatives upon request.

(7) Upon written request, the Board may waive any of the requirements of this rule upon a showing that a waiver will further public health or safety or the health or safety of a patient or other person. A waiver granted under this section is effective only when issued by the Board in writing.

Confidentiality
855-025-0030

(1) No licensee of the Board who obtains any patient information shall disclose that information to a third-party without the consent of the patient except as provided in section two of this rule.

(2) A licensee may disclose patient information:

(a) To the Board;

(b) to a practitioner, pharmacist, pharmacy technician, or certified pharmacy technician, if disclosure is authorized by a pharmacist who reasonably believes that disclosure is necessary to protect the patient's health or well-being; or

(c) To a third-party when disclosure is authorized or required by law; or

(d) As permitted pursuant to federal and state patient confidentiality laws.

Pharmacy and Pharmacist Responsibility for Supervising Pharmacy Technicians and Certified Pharmacy Technicians

855-025-0035

- (1) The supervising pharmacist and the pharmacist-in-charge are responsible for the actions of pharmacy technicians and certified pharmacy technicians. The use of pharmacy technicians or certified pharmacy technicians to perform tasks not included in written procedures maintained by the pharmacy constitutes unprofessional conduct on the part of the supervising pharmacist and the pharmacist-in-charge.
- (2) The pharmacy must maintain on file and post the current license of each pharmacy technician and certified pharmacy technician.
- (3) Before allowing any person to work as a pharmacy technician or certified pharmacy technician, the pharmacy and pharmacist shall verify that the person is currently licensed as a pharmacy technician or certified pharmacy technician.
- (4) Prior to performing the duties of a pharmacy technician or a certified pharmacy technician, a person must provide to the pharmacist or pharmacist-in-charge a copy of the person's current pharmacy technician license or a current certified pharmacy technician license.

Certified Pharmacy Technician and Pharmacy Technician Tasks and Guidelines

855-025-0040

- (1) Non-licensed pharmacy personnel may enter non-prescription information into a computer record system and may perform clerical duties such as filing prescriptions, delivery, housekeeping, and general record keeping, but the responsibility for the accuracy of the non-licensed pharmacy personnel's work lies with the pharmacist.
- (2) Only persons licensed with the Board as a Pharmacy Technician or Certified Pharmacy Technician, acting in compliance with all applicable statutes and rules and under the supervision of a pharmacist, may assist in the practice of pharmacy by the following:
 - (a) Packing, pouring or placing in a container for dispensing, sale, distribution, transfer possession of, any drug, medicine, poison, or chemical which, under the laws of the United States or the State of Oregon, may be sold or dispensed only on the prescription of a practitioner authorized by law to prescribe drugs, medicines, poisons, or chemicals.
 - (b) Reconstituting prescription medications. The supervising pharmacist must verify the accuracy in all instances.
 - (c) Affixing required labels upon any container of drugs, medicines, poisons, or chemicals sold or dispensed upon prescription of a practitioner authorized by law to prescribe those drugs, medicines, poisons, or chemicals.

(d) Entering information into the pharmacy computer. The pharmacy technician or certified pharmacy technician shall not make any decisions that require the exercise of judgment and that could affect patient care. The supervising pharmacist must verify prescription information entered into the computer and is responsible for all aspects of the data and data entry.

(e) Initiating or accepting oral or electronic refill authorization from a practitioner or practitioner's agent, provided that nothing about the prescription is changed, and record the medical practitioner's name and medical practitioner's agent's name, if any;

(f) Prepackaging and labeling of multi-dose and unit-dose packages of medication. The pharmacist must establish the procedures, including selection of containers, labels and lot numbers, and must verify the accuracy of the finished task.

(g) Picking doses for unit dose cart fill for a hospital or for a nursing home patient. The pharmacist must verify the accuracy of the finished task.

(h) Checking nursing units in a hospital or nursing home for nonjudgmental tasks such as sanitation and out of date medication. Any problems or concerns shall be documented and initialed by a pharmacist.

(i) Recording patient or medication information in computer systems for later verification by the pharmacist.

(j) Bulk Compounding. Solutions for small-volume injectables, sterile irrigating solutions, products prepared in relatively large volume for internal or external use by patients, and reagents or other products for the pharmacy or other departments of a hospital. The supervising pharmacist must verify the accuracy in all instances.

(k) Preparation of parenteral products as follows:

(A) Performing functions involving reconstitution of single or multiple dosage units that are to be administered to a given patient as a unit. The supervising pharmacist must verify the accuracy in all instances.

(B) Performing functions involving the addition of one manufacturer's single dose or multiple unit doses of the same product to another manufacturer's prepared unit to be administered to a patient. The supervising pharmacist must verify the accuracy in all instances.

(l) Performing related activities approved in writing by the Board.

(3) In order to protect the public, safety, health and welfare, pharmacy technicians or certified pharmacy technicians shall not:

(a) Communicate or accept by oral communication a new or transferred prescription of any nature;

- (b) Receive or transfer a prescription to another pharmacy without the prior verification of a pharmacist.
- (c) Provide a prescription or medication to a patient without a pharmacist's verification of the accuracy of the dispensed medication;
- (d) Counsel a patient on medications or perform a drug utilization review;
- (e) Perform any task that requires the professional judgment of a pharmacist; or
- (f) Engage in the practice of pharmacy as defined in ORS 689.015.

Grounds for Discipline of Pharmacy Technicians and Certified Pharmacy Technicians

855-025-0050

- (1) The State Board of Pharmacy may refuse to issue or renew; or suspend; or revoke; or restrict the license of; or impose a civil penalty upon a pharmacy technician or certified pharmacy technician upon the following grounds including but not limited to:
 - (a) Repeated or gross negligence;
 - (b) Incapacity of a nature that prevents a pharmacy technician or certified pharmacy technician from assisting in the practice of pharmacy with reasonable skill, competence and safety to the public;
 - (c) Habitual or excess use of intoxicants, drugs or controlled substances;
 - (d) Being found guilty by the Board of a violation of the pharmacy or drug laws of this state or rules pertaining thereto or of statutes, rules or regulations of any other state or of the federal government;
 - (e) Being found guilty by a court of competent jurisdiction of a felony as defined by the laws of this state;
 - (f) Being found guilty by a court of competent jurisdiction of a violation of the pharmacy or drug laws of this state or rules pertaining thereto or of statutes, rules or regulations of any other state or of the federal government;
 - (g) Fraud or intentional misrepresentation in securing or attempting to secure the issuance or renewal of a pharmacy technician or certified pharmacy technician license;

- (h) Engaging an individual to engage in the duties of a pharmacy technician or certified pharmacy technician without a license or falsely using the title of pharmacy technician or certified pharmacy technician;
- (i) Aiding and abetting an individual to engage in the duties of a pharmacy technician or certified pharmacy technician without a license or falsely using the title of pharmacy technician or certified pharmacy technician;
- (j) Being found by the Board to be in violation of any violation of any of the provisions of ORS 435.010 to 435.130, 453.025, 453.045, 475.035 to 475.190, 475.805 to 475.995 or 689.005 to 689.995 or the rules adopted pursuant thereto.
- (k) Failure to appropriately perform the duties of a pharmacy technician or certified pharmacy technician as outlined in OAR 855-025-0040 while assisting a pharmacist in the practice of pharmacy as defined in ORS 689.015.
- (l) Aiding and abetting an individual in performing the duties of a pharmacy technician or certified pharmacy technician or in using the title of pharmacy technician or certified pharmacy technician without a license.
- (m) Incapacity of a nature that prevents a pharmacy technician or certified pharmacy technician from performing the duties of a pharmacy technician or certified pharmacy technician with reasonable skill, competence and safety to the public.
- (n) Repeated or gross negligence in performing the duties of a pharmacy technician or certified pharmacy technician; or
- (o) Fraud or misrepresentation in dealings relating to performing the duties of a pharmacy technician or certified pharmacy technician with:
 - (A) Customers, patients, or the public;
 - (B) Practitioners authorized to prescribe drugs, medications, or devices;
 - (C) Insurance companies;
 - (D) Wholesalers, manufacturers, or distributors of drugs, medications, or devices;
 - (E) Health care facilities;
 - (F) Government agencies;
 - (G) Drug outlets.
- (p) Illegal use of drugs, medications, or devices without a practitioner's prescription, or otherwise contrary to federal or state law or regulations;

(q) Theft of drugs, medications, or devices or theft of any other property or services under circumstances which bear a demonstrable relationship to the performing the duties of a pharmacy technician or certified pharmacy technician;

(r) Any act or practice relating to performing the duties of a pharmacy technician or certified pharmacy technician which is prohibited by state or federal law or regulation;

(s) Authorizing or permitting any person to perform the duties of a pharmacist, pharmacy technician or certified pharmacy technician in violation of the Oregon Pharmacy Act or the rules of the Board; and

(t) Any conduct or practice by a pharmacy technician, certified pharmacy technician or pharmacy which the Board determines is contrary to the accepted standards of practice.

Petition for Reinstatement of a Certified Pharmacy Technician License

855-025-0060

(1) A certified pharmacy technician's license that has been revoked, suspended or restricted will be reinstated only if the Board finds, upon a presentation made by the petitioner, that there is a reasonable assurance that the public interest will be protected if relicensure occurs.

(2) A presentation must consist of a showing by the petitioner of changed circumstances from those surrounding the revocation, suspension or restriction of license. The presentation must include:

(a) A showing that the petitioner has engaged in treatment, programs, or other endeavors or activities since the suspension, revocation or restriction of license which has caused the rehabilitation of the petitioner to the extent that the public's interest would be protected if relicensure should be granted.

(b) Medical, psychological, sociological or other physical, mental or moral appraisals, evaluations or recommendations relating to the petitioner to aid the Board in its determination whether the petitioner has been rehabilitated to the extent that the public's interest would be protected if relicensure should be granted.

(3) Petitions to the Board for reinstatement of licensure after suspension, revocation or restriction must be in writing and must contain:

(a) A written statement of those changed circumstances which the petitioner believes warrant the Board's finding that there is a reasonable assurance that the public interest will be protected if relicensure occurs. Such statement must include a recitation of the

treatment, programs, or other endeavors or activities undertaken by the petitioner, more particularly referred to subsection (2)(a) of this rule.

(b) A summarization of the medical, psychological, sociological or other physical, mental, or moral appraisals or recommendations which the petitioner intends to present to the Board pursuant to subsection (2)(b) of this rule.

(4) If, after opportunity is afforded the petitioner to show otherwise, the Board determines that a petition fails to comply with section (3) of this rule, or has not been made within a reasonable interval from the suspension, revocation, or restriction of license or from a previous petition, the Board will dismiss the petition without further investigation and hearing before the Board.

(5) Petitions which comply with section (3) of this rule will be scheduled for presentation of proof before the Board, and the petitioner will be notified of the time and place.

(6) The completion of any treatment, program or activity which the Board may recommend does not establish a right to reinstatement. The Board must, in each and every case, make a finding based upon the presentation of the petitioner that there is a reasonable assurance that the public interest will be protected if relicensure occurs.

855-110-0005

Licensing Fees

(1) Pharmacist license examination and re-examination fee - \$50.

(2) Pharmacist jurisprudence re-examination fee - \$25.

(3) Pharmacist licensing by reciprocity fee - \$200.

(4) Pharmacist licensing by score transfer fee - \$200.

(5) Intern License fee. Expires May 31 every four years - \$30.

(6) Pharmacist license fee. Expires June 30 annually - \$120

Delinquent renewal fee, (postmarked after May 31) - \$50.

(7) Certification of approved providers of continuing education courses fee, none at this time.

(8) Technician license fee. Expires September 30 annually - \$35.

Delinquent renewal fee, (postmarked after August 31) - \$20.

(10) Certified Pharmacy Technician license fee. Expires September 30 annually - \$35.

Stat. Auth.: ORS 689.205

Stats. Implemented: ORS 689.135

Hist.: 1PB 2-1979(Temp), f. & ef. 10-3-79; 1PB 2-1980, f. & ef. 4-3-80; 1PB 3-1980, f. 5-3-80, ef. 5-3-80 & 7-1-80; 1PB 2-1982, f. 3-8-82, ef. 4-1-82; 1PB 1-1984, f. & ef. 2-16-84; 1PB 3-1985, f. & ef. 12-2-85; PB 3-1988, f. & cert. ef. 5-23-88; PB 7-1989, f. & cert. ef. 5-1-89; PB 15-1989, f. & cert. ef. 12-26-89; PB 10-1990, f. & cert. ef. 12-5-90; PB 3-1991, f. & cert. ef. 9-19-91; PB 1-1992, f. & cert. ef. 1-31-92 (and corrected 2-7-92); PB 4-1992, f. & cert. ef. 8-25-92; PB 1-1994, f. & cert. ef. 2-2-94; PB 1-1996, f. & cert. ef. 4-5-96; PB 2-1997(Temp), f. 10-2-97, cert. ef. 10-4-97; BP 2-1998, f. & cert. ef. 3-23-98; BP 1-2001, f. & cert. ef. 3-5-01; BP 2-2001(Temp), f. & cert. ef. 7-26-01 thru 1-22-02; BP 1-2002, f. & cert. ef. 1-8-02; BP 1-2003, f. & cert. ef. 1-14-03