



PERMANENT ADMINISTRATIVE ORDER

BP 18-2022

CHAPTER 855
BOARD OF PHARMACY

FILED

04/20/2022 8:17 AM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Amends Pharmacy Technician and Certified Oregon Pharmacy Technician Licensure Rules

EFFECTIVE DATE: 04/20/2022

AGENCY APPROVED DATE: 04/14/2022

CONTACT: Rachel Melvin

971-673-0001

pharmacy.rulemaking@bop.oregon.gov

800 NE Oregon St., Suite 150

Portland, OR 97232

Filed By:

Rachel Melvin

Rules Coordinator

RULES:

855-021-0009, 855-025-0005, 855-025-0010, 855-025-0011, 855-025-0012, 855-025-0015, 855-025-0060, 855-110-0003, 855-110-0005

AMEND: 855-021-0009

REPEAL: Temporary 855-021-0009 from BP 11-2022

RULE TITLE: Continuing Pharmacy Education Required for Pharmacy Technician or Certified Oregon Pharmacy Technician License Renewal

NOTICE FILED DATE: 02/23/2022

RULE SUMMARY: Adds Continuing Pharmacy Education Requirements for Pharmacy Technicians who choose to renew their license. Removes July 1, 2022 and adds July 1, 2023 in (6).

RULE TEXT:

- (1) During the period from July 1 through June 30 of each biennial license renewal cycle, a Pharmacy Technician or Certified Oregon Pharmacy Technician must have satisfactorily completed 20 contact hours of continuing pharmacy education. These hours must include:
- (a) Two hours of continuing pharmacy education in pharmacy law;
 - (b) Two hours of continuing pharmacy education in patient safety or medication error prevention;
 - (c) Two hours of continuing pharmacy education in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency effective July 1, 2023; and
 - (d) Fourteen additional hours of continuing pharmacy education or documented onsite training approved by the board.
- (2) Section (1)(a)(b) and (d) do not apply to a Pharmacy Technician or Certified Oregon Pharmacy Technician applying for the first renewal of their license if they have not been licensed by the board for at least one year prior to July 1 of the renewal period. Section (1)(c) is required.
- (3) A Pharmacy Technician or Certified Oregon Pharmacy Technician must retain documentation of completed continuing pharmacy education for six years and must provide this documentation if requested by the board.
- (4) Continuing pharmacy education credit accumulated in excess of the required 20 contact hours for biennial license renewal cannot be carried forward.

(5) If a license renewal is submitted after June 30th of the license renewal cycle, continuing pharmacy education must be completed prior to submission of the license renewal.

(6) Section (1)(a)(b) and (d) do not apply to a Pharmacy Technician applying for the first renewal of their license prior to July 1, 2023. Section (1)(c) is required.

STATUTORY/OTHER AUTHORITY: ORS 689.205

STATUTES/OTHER IMPLEMENTED: ORS 689.285, ORS 689.486, ORS 413.450, ORS 676.850

AMEND: 855-025-0005

REPEAL: Temporary 855-025-0005 from BP 11-2022

RULE TITLE: Licensure: Qualifications - Pharmacy Technician or Certified Oregon Pharmacy Technician

NOTICE FILED DATE: 02/23/2022

RULE SUMMARY: Amendments clarify licensure requirements for Pharmacy Technicians and Certified Oregon Pharmacy Technicians.

RULE TEXT:

- (1) To qualify for licensure as a Pharmacy Technician or Certified Oregon Pharmacy Technician, an applicant must demonstrate that the applicant is at least 18 years of age and has completed high school (or equivalent).
- (2) To qualify for licensure as a Certified Oregon Pharmacy Technician, the applicant must also demonstrate that the applicant has taken and passed a national pharmacy technician certification examination offered by:
 - (a) Pharmacy Technician Certification Board (PTCB); or
 - (b) National Healthcareer Association (NHA).
- (3) No person whose license has been denied, revoked, suspended or restricted by any healthcare professional regulatory board may be licensed as a Pharmacy Technician or Certified Oregon Pharmacy Technician unless the board determines that licensure will pose no danger to patients or to the public interest.

STATUTORY/OTHER AUTHORITY: ORS 689.205

STATUTES/OTHER IMPLEMENTED: ORS 689.225, ORS 689.486

AMEND: 855-025-0010

REPEAL: Temporary 855-025-0010 from BP 11-2022

RULE TITLE: Licensure: Application- Pharmacy Technician

NOTICE FILED DATE: 02/23/2022

RULE SUMMARY: Amendments clarify the elements of a complete application for a Pharmacy Technician license.

RULE TEXT:

- (1) An application for licensure as a Pharmacy Technician may be accessed on the board website.
- (2) Failure to completely, accurately and honestly answer all questions on the application for licensure or renewal of licensure is grounds for discipline;
- (3) Failure to disclose any arrest for a felony or misdemeanor, or any indictment for a felony may result in denial of the application.
- (4) The board may issue a license to a qualified applicant after the receipt of:
 - (a) A completed application;
 - (b) Payment of the fee prescribed in OAR 855-110;
 - (c) A current, passport regulation size photograph (full front, head to shoulders);
 - (d) Personal identification or proof of identity; and
 - (e) A completed national fingerprint-based background check.
- (5) The license of a Pharmacy Technician expires June 30 in even numbered years and may be renewed biennially.

STATUTORY/OTHER AUTHORITY: ORS 689.205

STATUTES/OTHER IMPLEMENTED: ORS 689.225, ORS 689.486

ADOPT: 855-025-0011

REPEAL: Temporary 855-025-0011 from BP 11-2022

RULE TITLE: Licensure: Renewal or Reinstatement- Pharmacy Technician

NOTICE FILED DATE: 02/23/2022

RULE SUMMARY: Amendments clarify requirements for Pharmacy Technician license renewal and reinstatement.

RULE TEXT:

(1) An applicant for renewal of a Pharmacy Technician license must:

- (a) Pay the biennial license fee required in OAR 855-110.
- (b) Complete the continuing pharmacy education requirements as directed in OAR 855-021;
- (c) Be subject to an annual criminal background check.

(2) A Pharmacy Technician who fails to renew their license by the expiration date and whose license has been lapsed for one year or less may apply to renew their license and must pay a late fee required in OAR 855-110.

(3) A Pharmacy Technician who fails to renew their license by the expiration date and whose license has been lapsed for greater than one year may apply to reinstate their license as follows:

- (a) Must apply per OAR 855-025-0010; and
- (b) Provide certification of completion of 10 continuing education hours earned in the prior 12 months. These hours may not be counted toward a future renewal; and must include:
 - (A) One hour of continuing pharmacy education in pharmacy law;
 - (B) One hour of continuing pharmacy education in patient safety or error prevention; and
 - (C) One hour of continuing pharmacy education in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency CPE; and
 - (D) Seven other hours of pharmacy technician-specific continuing education.

STATUTORY/OTHER AUTHORITY: ORS 689.205

STATUTES/OTHER IMPLEMENTED: ORS 689.225, ORS 689.486, ORS 413.450

AMEND: 855-025-0012

REPEAL: Temporary 855-025-0012 from BP 11-2022

RULE TITLE: Licensure: Application- Certified Oregon Pharmacy Technician

NOTICE FILED DATE: 02/23/2022

RULE SUMMARY: Amendments clarify the elements of a complete application for a Certified Oregon Pharmacy Technician license.

RULE TEXT:

- (1) An application for licensure as a Certified Oregon Pharmacy Technician may be accessed on the board website.
- (2) Failure to completely, accurately and honestly answer all questions on the application for licensure or renewal of licensure is grounds for discipline.
- (3) Failure to disclose any arrest for a felony or misdemeanor, or any indictment for a felony may result in denial of the application.
- (4) The board may issue a license to a qualified applicant after the receipt of:
 - (a) A completed application;
 - (b) Payment of the fee prescribed in OAR 855-110;
 - (c) A current, passport regulation size photograph (full front, head to shoulders);
 - (d) Personal identification or proof of identity;
 - (e) A completed national fingerprint-based background check; and
 - (f) Proof that the applicant has taken and passed a national pharmacy technician certification offered by the PTCB or the NHA.
- (5) The license of a Certified Oregon Pharmacy Technician expires June 30 in even numbered years and may be renewed biennially.

STATUTORY/OTHER AUTHORITY: ORS 689.205

STATUTES/OTHER IMPLEMENTED: ORS 689.225, ORS 689.486

AMEND: 855-025-0015

REPEAL: Temporary 855-025-0015 from BP 11-2022

RULE TITLE: Licensure: Renewal or Reinstatement- Certified Oregon Pharmacy Technician

NOTICE FILED DATE: 02/23/2022

RULE SUMMARY: Amendments clarify the requirements for renewal or reinstatement of a Certified Oregon Pharmacy Technician license.

RULE TEXT:

(1) A person who has taken and passed a national pharmacy technician certification examination listed in OAR 855-025-0012(1)(a)–(b) may use the following title, and is referred to in these rules as, and is licensed as a “Certified Oregon Pharmacy Technician.”

(2) An applicant for renewal of a Certified Oregon Pharmacy Technician license must:

(a) Pay the biennial license fee required in OAR 855-110;

(b) Complete the continuing pharmacy education requirements as directed in OAR 855-021; and

(c) Be subject to an annual criminal background check.

(3) Continued national certification is not required to renew a license as a Certified Oregon Pharmacy Technician.

(4) A Certified Oregon Pharmacy Technician who fails to renew their license by the expiration date and whose license has been lapsed for one year or less may renew their license and must pay a late fee required in OAR 855-110.

(5) A Certified Oregon Pharmacy Technician who fails to renew their license by the expiration date and whose license has been lapsed for greater than one year may apply to reinstate their license as follows:

(a) Must apply per OAR 855-025-0010; and

(b) Provide certification of completion of 10 continuing education hours earned in the prior 12 months. These hours may not be counted toward a future renewal; and must include:

(A) One hour of continuing pharmacy education in pharmacy law;

(B) One hour of continuing pharmacy education in patient safety or error prevention; and

(C) One hour of continuing pharmacy education in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency CPE; and

(D) Seven other hours of pharmacy technician-specific continuing education.

STATUTORY/OTHER AUTHORITY: ORS 689.205

STATUTES/OTHER IMPLEMENTED: ORS 689.225, ORS 689.486, ORS 413.450

REPEAL: 855-025-0060

RULE TITLE: Reinstatement of a Certified Oregon Pharmacy Technician License

NOTICE FILED DATE: 02/23/2022

RULE SUMMARY: OAR 855-025-0015 clarifies the requirements for renewal or reinstatement of a Certified Oregon Pharmacy Technician license, repealing this rule is necessary to eliminate conflict between the old rules and new rules.

RULE TEXT:

(1) A Certified Oregon Pharmacy Technician who fails to renew their license by the deadline and whose license has been lapsed for greater than one year may reinstate their license as follows:

(a) Complete a new application for licensure and provide the board with a valid e-mail address;

(b) Pay the biennial license fee as prescribed in OAR 855-110;

(c) Submit to a national fingerprint background check; and

(d) Provide certification of completion of 10 continuing education hours. These hours may not be counted toward renewal; and must include:

(A) One hour of continuing pharmacy education in pharmacy law;

(B) One hour of continuing pharmacy education in patient safety or error prevention; and

(C) One hour of continuing pharmacy education in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency CPE; and

(D) Seven other hours of pharmacy technician-specific continuing education.

(2) A Certified Oregon Pharmacy Technician whose license has been lapsed greater than five years must:

(a) Re-take and pass a national pharmacy technician certification examination offered by:

(A) The Pharmacy Technician Certification Board (PTCB); or

(B) National Healthcareer Association (NHA).

(b) Satisfy reinstatement requirements pursuant to OAR 855-025-0060(1).

STATUTORY/OTHER AUTHORITY: ORS 689.205

STATUTES/OTHER IMPLEMENTED: ORS 689.225, ORS 689.486

AMEND: 855-110-0003

REPEAL: Temporary 855-110-0003 from BP 11-2022

RULE TITLE: General

NOTICE FILED DATE: 02/23/2022

RULE SUMMARY: Clarifies that the fee for applications received within 180 days of expiration will be reduced to one-half a biennial rate. Adds Pharmacy Technicians to list of licensees that can receive this rate adjustment.

RULE TEXT:

- (1) All fees paid under these rules are non-refundable.
- (2) Fees cannot be prorated.
- (3) Fees for initial licensure as a Pharmacist, Pharmacy Technician or Certified Oregon Pharmacy Technician will be reduced to one-half of a biennial rate, if the application is received within 180 days of expiration.
- (4) A late fee must be paid:
 - (a) When a renewal application is received after the date specified in these rules; or
 - (b) When the board requests additional information from an applicant and this information is not provided within 30 days.
- (5) A fee may be assessed when an application is submitted incomplete and the board requests the missing information.

STATUTORY/OTHER AUTHORITY: ORS 689.205

STATUTES/OTHER IMPLEMENTED: ORS 689.135

AMEND: 855-110-0005

REPEAL: Temporary 855-110-0005 from BP 11-2022

RULE TITLE: Licensing Fees

NOTICE FILED DATE: 02/23/2022

RULE SUMMARY: Adds fees for Pharmacy Technician license renewal including the workforce data collection fee.

RULE TEXT:

- (1) Pharmacist license examination (NAPLEX) fee - \$50.
- (2) Pharmacist jurisprudence (MPJE) re-examination fee - \$25.
- (3) Pharmacist licensing by reciprocity fee - \$100.
- (4) Pharmacist licensing by score transfer fee - \$50.
- (5) Intern license fee. Expires November 30 every two years - \$100.
- (6) Pharmacist:
 - (a) Biennial license fee. Expires June 30 each odd numbered year. The biennial license fee is - \$250. Late renewal fee (received after June 30) - \$50.
 - (b) Electronic Prescription Monitoring Fund fee. Due by June 30 biennially - \$70. (This is a mandatory fee, required by ORS 431A.880 that must be paid with the pharmacist license renewal fee).
 - (c) Workforce Data Collection fee. Due by June 30 biennially - \$4. (This is a mandatory fee as required by OAR 409-026-0130 that must be paid with the Pharmacist license renewal fee.)
- (7) Certification of approved provider of continuing education course fee, none at this time.
- (8) Pharmacy Technician license fee:
 - (a) Expires June 30 each even numbered year. The biennial license fee is - \$100. Late renewal fee (received after June 30) - \$20. For Pharmacy Technician licenses that expire on June 30, 2023, a late renewal fee will not be assessed.
 - (b) Workforce Data Collection fee. Due by June 30 biennially - \$4. (This is a mandatory fee as required by OAR 409-026-0130 that must be paid with the Pharmacy Technician license renewal fee.)
- (9) Certified Oregon Pharmacy Technician:
 - (a) Biennial license fee. Expires June 30 each even numbered year - \$100. Late renewal fee (received after June 30) - \$20.
 - (b) Workforce Data Collection fee. Due by June 30 biennially - \$4. (This is a mandatory fee as required by OAR 409-026-0130 that must be paid with the Certified Oregon Pharmacy Technician license renewal fee.)

STATUTORY/OTHER AUTHORITY: ORS 689.205, ORS 291.055, ORS 183.705

STATUTES/OTHER IMPLEMENTED: ORS 689.135, ORS 676.410, ORS 431A.880