

## ARTICLE XL PHARMACY TECHNICIANS

### 1. INTRODUCTION

Section 73-21-83, paragraph (2), Mississippi Code of 1972, Annotated, specifies that a license to practice pharmacy shall be obtained by all persons prior to their engaging in the practice of pharmacy. The "Practice of pharmacy" shall mean a health care service that includes, but is not limited to, the compounding, dispensing, and labeling of drugs or devices; interpreting and evaluating prescriptions; administering and distributing drugs and devices; maintaining prescription drug records; advising and consulting concerning therapeutic values, content, hazards and uses of drugs and devices; initiating or modifying of drug therapy in accordance with written guidelines or protocols previously established and approved by the Board; selecting drugs; participating in drug utilization reviews; storing prescription drugs and devices; ordering lab work in accordance with written guidelines or protocols as defined by Section 73-21-73, paragraph (II), Mississippi Code of 1972, Annotated; providing pharmacotherapeutic consultations; supervising supportive personnel and such other acts, services, operations or transactions necessary or incidental to the conduct of the foregoing.

The only other persons who may perform the above tasks other than a licensed pharmacist, and then only under the direct supervision of a pharmacist, are the following:

- A. A pharmacy intern; and
- B. A pharmacy extern.

### 2. PHARMACY TECHNICIAN REGISTRATION

Every person who intends to serve as a pharmacy technician must obtain a pharmacy technician registration from the Board. To obtain a pharmacy technician registration the applicant shall meet the following conditions for each Pharmacy Technician Registration issued after April 1, 2011:

- A. Have attained eighteen (18) years of age;
- B. Be a high school graduate or hold GED equivalent and furnish copy of such certificate to the Board;
- C. Be of good moral character as evidenced by having undergone and successfully passed a criminal background check conducted by the Board;
- D. Have submitted a written application including a passport quality photo on a form(s) prescribed by the Board;
- E. Have paid the initial registration fee not to exceed one-hundred dollars (\$100.00); and
- F. Have paid all fees associated with the criminal background check;

No Pharmacist whose license has been denied, Revoked, Suspended, or restricted for disciplinary reasons shall be eligible to be registered as a Pharmacy Technician.

### 3. PHARMACY TECHNICIAN REGISTRATION RENEWAL

Each pharmacy technician shall renew his/her registration annually. To renew his/her registration, a technician shall:

- A. Submit an application on the form prescribed by the Board;
- B. Pay a renewal fee not to exceed one-hundred dollars (\$100.00) for the registration period April 1, 2011 through March 31, 2012 and annually thereafter;
- C. Have successfully passed the Pharmacy Technician Certification Board Exam or a Pharmacy Technician exam approved by the Board if the registration was obtained after April 1, 2011. This Certification must be maintained as specified or required by the examining authority; and
- D. If the registration was obtained after April 1, 2011, provide proof of a current approved certification.

Any pharmacy technician registration that has not been renewed by March 31 of each registration period becomes null and void after that date. The pharmacy technician shall not perform any pharmacy technician duties in the pharmacy dispensing or drug storage area until such time as the registration is renewed. Any Pharmacy technician renewal application postmarked after March 31 of the renewal period shall be returned and a fifty dollar (\$50) late renewal fee shall be assessed prior to renewal.

The pharmacist-in-charge shall validate all pharmacy technician registrations on or before March 31 of each year, assuring that all such registrations are current and in good standing.

### 4. PHARMACY TECHNICIAN RESPONSIBILITIES AND GUIDELINES

It has been determined by the Board that three (3) technicians on duty performing technician related work directly related to the dispensing of medications are sufficient for each licensed pharmacist on duty. Support personnel used solely for clerical duties such as filing prescriptions, delivery and general record keeping need not be included in the ratios of the functions performed by a pharmacy technician.

In order to adequately protect the public health, technicians shall not:

- A. Communicate, orally or in writing, any medical, therapeutic, clinical, or drug information or communicate any information recorded on a patient profile that requires professional judgment;
- B. Accept by oral communication a new prescription of any nature;
- C. Prepare a copy of a prescription or read a prescription to another person;
- D. Provide a prescription or medication to a patient without a pharmacist's verification as to the accuracy of the dispensed medication. For the purposes of this regulation, verification shall mean that the licensed pharmacist shall be aware of the patient's medication profile, Drug Utilization Review, computer overrides, and drug interactions as well as the accuracy of the selected medication and labeling;
- E. Counsel a patient on medications or perform a drug utilization review;
- F. Perform any task that requires the professional judgment of a pharmacist; or

- G. Perform any task that is in violation of any federal or state pharmacy or drug laws.

Persons registered with the Board as a pharmacy technician, under the direct supervision of a registered pharmacist may perform approved tasks as follows:

- A. Packing, pouring or placing in a container for dispensing, sale, distribution, transfer possession of, vending, or barter any drug, medicine, poison, or chemical which, under the laws of the United States or the State of Mississippi, may be sold or dispensed only on the prescription of a practitioner authorized by law to prescribe drugs, medicines, poisons, or chemicals. This shall also include the adding of water for reconstitution of oral antibiotic liquids.
- B. 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.
- C. Taking from and replacing upon shelves in the prescription department of a pharmacy, drugs, medicines, chemicals, or poisons which are required by the law of the United States or the State of Mississippi to be sold or dispensed only on prescription of a practitioner authorized by law to prescribe them.
- D. Entering information into the pharmacy computer. The pharmacy technician shall not make any judgmental decisions, which could affect patient care. The final verification of prescription information entered into the computer shall be made by the supervising pharmacist who is then totally responsible for all aspects of the data and data entry.
- E. Obtaining prescriber authorization for prescription refills provided that nothing about the prescription is changed.
- 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 check the finished task.
- G. Dose picking for unit dose cart fill for a hospital or for a nursing home patient.
- H. Checking and inspecting nursing units in a hospital or nursing home: Pharmacy technicians may check nursing units for proper medication storage and other related floor stock medication issues. Any related medication storage problems or concerns shall be documented and initialed by a pharmacist.
- I. Recording patient or medication information in electronic systems for later validation by the pharmacist.
- J. Bulk reconstitution of prefabricated non-injectable medication.
- K. Bulk compounding. This category may include such items as sterile bulk 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.
- L. Preparation of parenteral products as follows:  
The pharmacy technician must follow guidelines established by the pharmacist as established by policy and procedures. Pharmacy technicians may perform functions involving reconstitution of single or multiple dosage units that are to be administered to a given patient as a unit. Pharmacy technicians may perform 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.

Pharmacy Technicians in an institutional setting may conduct patient medication histories without the direct supervision of a pharmacist. The institution must have policies and procedures and training protocols to govern such tasks.

Every person acting or serving as a pharmacy technician shall wear a name tag, while on duty, identifying him or her as such. When communicating by telephone, the pharmacy technician shall promptly identify him or her as such.

Pharmacy Technicians shall perform such duties as authorized by these regulations and perform other duties as assigned by the pharmacists.

Each technician registered by the Board shall notify the Board in writing within ten (10) days of change of employment or change of address. The notification shall contain his/her name, new mailing address, registration number, the name of the pharmacy where formerly employed, and the name of the pharmacy where currently employed or the current employment status. Failure to Notify the Board of any changes may result in disciplinary action by the Board.

In the dispensing of drugs from a pharmacy, it shall be the responsibility of the supervising pharmacist on duty to require that any technician under his/her supervision complies with this Article. Performance by pharmacy technicians of tasks outlined in paragraph 1., above shall constitute the practice of pharmacy without a license and is a violation of the Mississippi Pharmacy Practice Act.