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**Subject:** ""Regulation No. 16A-5433 (Pharmacy Technician Registration)""  
**Date:** Friday, March 29, 2024 8:40:45 PM  
**Attachments:** [image.png](#)

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I am sending this on behalf of the Pennsylvania Society of Health-System Pharmacists (PSHP) in two emails.

The first will be this email containing our comment letter (detailed in the body of this email), and another with the letter provided as an attachment.

March 29, 2024

To: Pennsylvania Independent Regulatory Review Commission (IRRC)  
Regarding  
STATE BOARD OF PHARMACY  
[49 PA. CODE CH. 27]  
Pharmacy Technician Registration: Draft Regulations

The Pennsylvania Society of Health-System Pharmacists (PSHP) appreciates the opportunity to comment on this draft regulation around Pharmacy Technician Registration, HB770. We applaud the efforts of the Board of Pharmacy in leveraging the workgroup sessions to address many of the concerns and thank the board for their openness and candor during these sessions. With that, there are several items that PSHP would like further clarification for in the current draft. PSHP respectfully submits the following points for discussion and clarification.

Current draft reads: "Finally, proposed **§ 27.705** (relating to grandfather requirements for an existing practitioner to be registered as a pharmacy technician) addresses the criteria for individuals who worked as a pharmacy technician for at least 1 year between January 29, 2019, and January 29, 2021, (the 2-year period prior to the effective date under Act 140 of 2020) to be registered, even if they do not possess a high school diploma and have not completed a Board-approved pharmacy technician program."

PSHP would like the Board of Pharmacy to amend the dates of the 2-year grandfather period in accordance with the timeline when this regulation will go into effect. PSHP is suggesting a more current two-year period to the actual date of enactment of the regulations. PSHP also recommends that the end date of the two-year period include several months (120 days) of the enacted registration period to allow for technicians hired and in training during this transition period.

For example, if the proposed regulation goes into effect on Jan 1, 2025; the "grandfathering"

opportunities could be offered for those already working for the two-year period between April 29, 2023, and April 29, 2025.

In addition, the current draft lacks a process for determining eligibility for registration in PA for any practicing pharmacy technicians moving to PA for employment from another state. Especially if a practicing pharmacy technician transferring to PA for work is a nationally certified pharmacy technician (i.e. PTCB or other) or registered pharmacy technician with years of practice in another state or has completed a training at PA determined approved training program in another state (i.e. ASHP or ACPE accredited training program, but in another state).

Not having a process for these practicing technicians to move to PA for employment will further expand technician shortages in PA creating a pharmacy workforce challenge.

27.12. Practice of pharmacy and delegation of duties.

**(v) [Assist the pharmacist in preparing and reconstituting parenteral products and other medications. After the parenteral product or other medication has been prepared, the supervising pharmacist shall initial the label of the product or medication to document his final inspection and to accept total responsibility for its preparation.] [Reserved].**

We understand that this clause is reserved and hence maybe removed, but PSHP would recommend the following edit, if this clause remains in the final version:

**[Assist the pharmacist in preparing and reconstituting parenteral products and other medications. After the parenteral product or other medication has been prepared, the supervising pharmacist verify the product or medication and accept total responsibility for its preparation.] [Reserved].**

#### **§ 27.702. Pharmacy technician training programs.**

(b) The following shall be considered a Board-approved program provider:

(4) An educational institution whose pharmacy technician programs are Nationally or regionally accredited by the United States Department of Education.

(6) A school licensed by the State Board of Private Licensed Schools.

PSHP would like the Board to further clarify how the above 2 areas would be reviewed or validated in PA to accredit a pharmacy technician training program. In other words, how would the board review or validate that the training standards set by the PA Board of Pharmacy for the pharmacy technician training are being followed by US Department of Education and Private Licensed Schools. PSHP wants to ensure that if a pharmacy technician who graduated from these programs and is working in PA, that technician has all the necessary training as set by the board.

**§ 27.702. Pharmacy technician training programs.**

(c) The current draft reads: “A pharmacy employer that offers... .. Documentation of the training shall be maintained at the pharmacy by the pharmacist manager.”

PSHP would like this last sentence to read as follows:

(c) “A pharmacy employer that offers... .. Documentation **and accountability** of the training shall be maintained at the pharmacy by the pharmacist manager.”

This allows for the responsibility of the training on the pharmacist manager and not on the technician as the technician is practicing under the supervision of the pharmacist manager and only practicing to the protocol agreed upon by the pharmacist manager.

6. The proposed amendments will *Fiscal Impact and Paperwork Requirements*

The proposed amendments will add application and biennial renewal fees for pharmacy technician registrations and application fees for pharmacy technician trainee registration.

The proposed biennial renewal fee of \$70.00 may appear to be the average fee charged across other states; however, most of the other states require 20-30 continuing education credits, and they have to be submitted as ACPE accredited hours through the NABP CE Monitor software program. Pennsylvania has no requirements to check anything for renewal. Increasing the fee from the initial registration fee requires zero extra work on the part of our state employees, and we respectfully request the fee be the same to keep the workforce numbers for pharmacy technicians up, without an increased renewal fee. The current annual salary when comparing pharmacists to technicians is 3:1 or 3.5:1. The registration and biennial fees should be the same proportion. Again, with no other biennial requirements, this will cause an increase in our technician vacancy rates and our workforce gap.

On behalf of PSHP, we thank you for your consideration of our comments and concerns. Once again, we thank the Board of Pharmacy for their actions throughout this process and look forward to clarifying these final concerns to move this legislation forward. PSHP would be happy to discuss further as needed and if so, please don't hesitate to reach out.

Sincerely,



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