



**From:** [Travis Garrison](#)  
**To:** [ST\\_RegulatoryCounsel](#)  
**Subject:** [External] Comments on Proposed Regulation No. 16A-5433 (Pharmacy Technician Registration)  
**Date:** Friday, March 29, 2024 9:54:52 AM  
**Attachments:** [Enclara Pharmacia Comments PA Pharmacy Technician Registration FINAL.pdf](#)

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Please see the comments from Enclara Pharmacia to the proposed pharmacy technician registration regulations. Please let me know if you have any questions.

Thanks,

**Travis H Garrison**  
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March 28, 2024

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State Board of Pharmacy  
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Submitted electronically via email to RA-STRegulatoryCounsel@pa.gov

**RE: Comments on Proposed Regulation No. 16A-5433 (Pharmacy Technician Registration)**

Dear Mr. Farrell:

Enclara Pharmacia (Enclara) thanks the Pennsylvania State Board of Pharmacy (Board) for the opportunity to comment on its proposed regulation related to pharmacy technician registration.

Enclara is a full-service delivery pharmacy serving hospice patients across 49 states and Washington, D.C. Enclara ensures timely and reliable medication access in any care setting. Combining clinical expertise and a patient-focused, nurse-centric approach, Enclara enables hospices of all sizes and models to improve quality of life for individuals experiencing progressive illness. Our pharmacies employ many pharmacists and pharmacy technicians, who are critical to ensuring that hospice patients across the country, including those in Pennsylvania, have access to necessary medications.

Enclara recognizes the Board's efforts to promulgate rules related to the registration of pharmacy technicians due to the General Assembly's passage of Act 140 in 2020. **However, the current proposal does not appear to support the legislative intent and should be clarified to eliminate confusing and burdensome requirements for pharmacies.**

**Remote Work by Technicians**

The proposed rule includes a definition for "direct and immediate personal supervision." While it follows the spirit of the language in Act 140, it lacks a key distinction. Act 140 says, "Except as provided under section 3.4, [emphasis added] a pharmacy technician shall be responsible to and under the direct and immediate personal supervision of a board-licensed pharmacist."

As it is currently drafted, the proposed rule does not include the exception language and appears to prevent remote order entry by a technician even though the Pennsylvania General Assembly specifically allowed it in Act 140. Section 3.4 of the Pharmacy Act, which was created by Act 140, relates to Pharmacy Technician Data Entry. It states the following, "A pharmacy technician may conduct data entry, including prescription entry, drug order or

patient information, into a patient profile via technological means without the immediate supervision of a board-licensed pharmacist..." if specified conditions are met.

The proposal should be amended to ensure it clearly permits remote order entry by a technician in line with the legislative intent.

Recommendation: Amend the definition of "direct and immediate personal supervision" to read, "The level of supervision of a pharmacy intern, pharmacy technician or pharmacy technician trainee by a licensed pharmacist. Except as provided under section 3.4 of the Pharmacy Act, the term includes all of the following..."

### **Definition of Pharmacy Technician**

The proposed rule defines "pharmacy technician," and part of that definition says, "the term does not include an individual performing clerical support with no direct interaction with prescription medication or ability to enter a prescription drug order." We would appreciate greater clarity on the Board's expectation related to "no direct interaction with prescription medication." For example, could non-registered clerical personnel perform the task of moving boxes and bottles of unopened and sealed product, or would this need to be done by registered technicians?

### **Pharmacy Technician Training Programs**

We appreciate the Board allowing pharmacy employers to offer pharmacy technician training programs. However, the current list of topics that must be included in the training program is too prescriptive. The training component should be more flexible so that pharmacy employers can design custom training programs that align with the duties their technicians may perform.

For example, technicians work in many pharmacy practice settings, and technicians may not perform all duties outlined in the proposal's training program areas. The draft framework could require pharmacy employers to train technicians on functions they may never perform.

Recommendation: Amend the proposal to say, "A Board-approved pharmacy technician training program shall ~~at a minimum~~ cover and establish competency testing in all ~~of the following~~ areas of pharmacy practice applicable to the technician's duties. Examples of these areas include...".

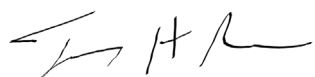
### **Grandfather Requirements**

The last section of the proposal creates grandfather requirements for existing practitioners. One of the proposed requirements is "the applicant practiced for at least 1 year between January 29, 2019, and January 29, 2021." We recognize this timeframe is consistent with the language of Act 140. Ideally, we would like to see it extended to 2024 so that someone currently performing the duties of a technician is not required to go through training again.

### **Conclusion**

Thank you for the opportunity to provide feedback to the Board on the proposed rule. Please feel free to contact me if you have any questions related to the comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Garrison". The signature is fluid and cursive, with a prominent initial "T" and "G".

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cc: Chairperson Christine Roussel, Pharm.D., R.Ph. via email at [croussel.bcop@gmail.com](mailto:croussel.bcop@gmail.com)