

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 680 Department or Agency: Alabama State Board of Pharmacy
Rule No. 680-X-2-.37
Rule Title: Continuing Education For Pharmacy Technicians
 New X Amendment Repeal Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer Donna C. Yeatman

Date 5/14/2020

REC'D & FILED

MAY 14 2020

Alabama State Board of Pharmacy

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Pharmacy

RULE NO. & TITLE:

680-X-2-.37 Continuing Education For Pharmacy Technicians.

INTENDED ACTION:

Amend Rule

SUBSTANCE OF PROPOSED ACTION:

Update technician CE requirement timelines to match registration requirements

TIME, PLACE, MANNER OF PRESENTING VIEWS:

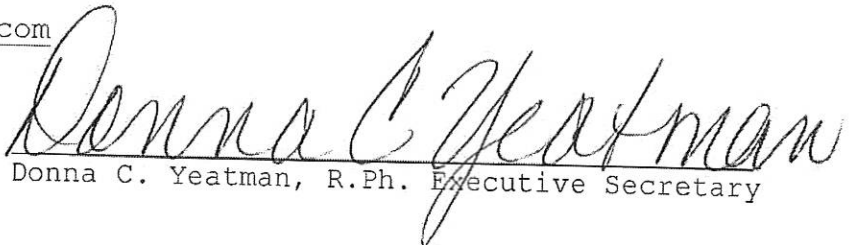
Oppositions can be submitted to the Alabama State Board of Pharmacy office. Business hours are 8:00am - 4:00pm Monday through Friday. Please present your views in writing, fax or email. Public hearing will be held July 22, 2020 at 9:00am

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Comments concerning this change must be received by the Alabama State Board of Pharmacy no later than July 15, 2020

CONTACT PERSON AT AGENCY:

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Donna C. Yeatman, R.Ph. Executive Secretary

680-X-2-.37 Continuing Education For Pharmacy Technicians.

(1). Pharmacy Technicians shall complete ~~three (3) hours of continuing education every year~~ six (6) hours of continuing education within the renewal period, as a condition of registration renewal. By submitting the biennial renewal, a pharmacy technician is representing their compliance with this requirement by the end of the relevant ~~calendar year~~ renewal cycle.

(2). In order to receive credit for continuing education, the continuing education shall be previously approved by the Board. Any requests for approval of continuing education shall be submitted to the Board no less than thirty (30) calendar days prior to offering of the continuing education. A condition of approval shall be that the continuing education is pertinent to the practice of pharmacy. However, this requirement shall not apply to ACPE approved continuing education courses for which a program number is available.

(3). Continuing Education may be completed by either attendance or by distance-based program, video or by publications; however, a pharmacy technician must complete at least ~~one (1) hour~~ two (2) hours of live continuing education through attendance at a course(s), within each renewal cycle.

(4). It is the responsibility of each pharmacy technician to maintain and compile accurate records relating to all continuing education courses or activities they have attended and completed. It shall be the responsibility of each pharmacy technician to maintain above described documentation and information pertaining to each ~~year~~ renewal period for a period of two (2) years and this information shall be submitted to the Board of Pharmacy within thirty (30) calendar days after a request for the same by the Board.

(5). The Board of Pharmacy shall randomly audit the continuing education documentation or information to be maintained or submitted by each pharmacy technician as described herein to assure compliance with these rules. Failure to maintain the documentation or information set forth in these rules or the submission of false or misleading information or documentation to the Board of Pharmacy or failure to submit requested documentation or information within the time specified by the Board may subject the pharmacy technician, on the first violation to a non-disciplinary administrative penalty authorized by Code of Ala. 1975, §34-23-132 an amount not less than twenty five dollars (\$25.00) or more than one hundred dollars (\$100.0) as determined by the board.

(6). Upon written request to the Board of Pharmacy, and upon the demonstration of good and sufficient cause, the Board of Pharmacy may grant a waiver or extension of time for the completion of the annual hour requirements for continuing education as set forth

herein. The pharmacy technician who seeks such a waiver or extension shall submit to the Board of Pharmacy any documentation required by the Board which the Board deems appropriate for it to make a decision concerning that waiver or extension.

Author: ~~David Darby,~~ Donna C. Yeatman R.Ph., President Executive Secretary

Statutory Authority: Code of Ala. 1975, §34-23-92.

History: New Rule: Filed July 6, 2006; effective August 10, 2006. **Amended:** Filed January 22, 2019; effective March 8, 2019.

Amended; Filed May 15, 2020 effective: September 14, 2020