

247 CMR: BOARD OF REGISTRATION IN PHARMACY

247 CMR 8.00: PHARMACY INTERNS AND TECHNICIANS

Section

- 8.01: Pharmacy Interns
- 8.02: Pharmacy Technicians
- 8.03: Pharmacy Technician Trainees
- 8.04: Certified Pharmacy Technicians
- 8.05: Requirements for the Handling of Schedule II Controlled Substances by Pharmacy Interns, Certified Pharmacy Technicians, Pharmacy Technicians, and Pharmacy Technician Trainees
- 8.06: Duties of Pharmacist Utilizing Pharmacy Interns, Certified Pharmacy Technicians, Pharmacy Technicians, and Pharmacy Technician Trainees
- 8.07: Registration and Renewal Procedures; General Requirements

For the purposes of 247 CMR 8.00 "pharmacy" shall include retail, institutional, restricted and nuclear pharmacies and pharmacy departments.

8.01: Pharmacy Interns

- (1) To be eligible for personal registration as a pharmacist a candidate shall have completed a pharmacy internship. A pharmacy intern shall have:
 - (a) completed two years of education, or achieved standing as a student beyond the second year, in an approved college/school of pharmacy in which the candidate is currently enrolled; and
 - (b) completed 1500 hours of Board-approved pharmacy internship experience, of which:
 1. at least 1000 hours has been acquired in a pharmacy or pharmacy-related setting approved by the Board; and
 2. no more than 500 hours has been acquired in any one, or any combination of Board-approved internships(s) in the following areas:
 - a. clinical pharmacy;
 - b. demonstration project;
 - c. manufacturing; or
 - d. analytical and/or industrial pharmacy.
- (2) The pharmacy internship shall be performed under the direct supervision of a registered pharmacist preceptor.
- (3) A pharmacy intern may receive credit for up to 12 hours of pharmacy internship credit per day.
- (4) Pharmacy internship hours may be acquired throughout a calendar year.
- (5)(a) Before the commencement of a pharmacy internship in Massachusetts, persons who are enrolled, either full or part-time, in an approved college/school of pharmacy shall record, on a form provided by the Board, certain information regarding the internship as the Board shall require. This form shall be fully completed and returned to the Board before commencement of any internship. This information shall include:
 1. the applicant's name;
 2. the applicant's address;
 3. the applicant's date of birth;
 4. have attached thereto a recent passport-size photo revealing the applicant's likeness; and
 5. a certified statement by the approved college/school of pharmacy which indicates that the applicant has completed two years of education or has achieved standing as a student beyond the second year.
- (b) Graduates of Non-approved Colleges/Schools of Pharmacy. Before the commencement of a pharmacy internship in Massachusetts, a graduate of a non-approved college/school of pharmacy must have authorization from NABP to sit for the FPGEE (issued within the preceding year) and must provide a copy of the NABP FPGEE authorization to the Board and any other documentation required by the Board.

8.01: continued

- (6) During the course of the pharmacy internship, preceptors and pharmacy interns shall, in a timely manner submit, on a form provided by the Board, such information as the Board may require regarding the internship.
- (7) A pharmacy intern who has graduated from an approved college/school of pharmacy may continue to act in the capacity of pharmacy intern until he or she becomes registered as a pharmacist.
- (8) The Board may grant credit for out-of-state pharmacy internship experience where an affidavit or certificate of approval issued by the jurisdiction wherein the experience was acquired, is presented to the Board indicating that such internship experience has been duly approved in the jurisdiction.
- (9) Massachusetts approved colleges/schools of pharmacy shall submit to the Board a written description of each demonstration project or clinical pharmacy program for which pharmacy internship credit is desired. The Board shall review this information and determine whether or not student participation in such project(s) or program(s) may be credited to the internship requirement.
- (10) The Board shall issue a Summary of Objectives and Procedures for Pharmacy Internship and guidelines for registered pharmacist preceptors and pharmacy interns.
- (11) A pharmacy intern shall wear a name tag which indicates the intern's name and the words "pharmacy intern."
- (12) A pharmacy intern acting under the direct supervision of an approved registered pharmacy preceptor may supervise pharmacy technicians.
- (13) A registered pharmacist preceptor shall not directly supervise more than two pharmacy interns at one time.
- (14) A pharmacy intern found to have engaged in conduct in violation of federal and/or state laws and/or regulations may be prohibited from taking the examination for personal registration, in addition to other sanctions imposed by the Board.

8.02: Pharmacy Technicians

- (1) Requirements for Registration as a Pharmacy Technician.
 - (a) An applicant for registration as a pharmacy technician must meet the following requirements:
 1. be at least 18 years of age;
 2. be a high school graduate or the equivalent or currently enrolled in a program which awards such degree or certificate;
 3. be of good moral character;
 4. not been convicted of a drug related felony or admitted to sufficient facts to warrant such findings;
 5. Training/Experience Requirement. An applicant for registration as a pharmacy technician must meet the following training program or experience requirements:
 - a. have successfully completed a Board-approved pharmacy technician training program, which training program shall include coverage of the topics of job descriptions, pharmacy security, commonly used medical abbreviations, routes of administration, product selection, final check by pharmacists, guidelines for the use of pharmacy technicians, and any other requirements of the Board. Training programs which may be approved by the Board include:
 - i. a pharmacy technician training program accredited by the American Society of Health System Pharmacists;
 - ii. a pharmacy technician training program provided by a branch of the United States Armed Services or Public Health Service;

8.02: continued

- iii. a Board-approved pharmacy technician training program which includes a minimum of 240 hours of theoretical and practical instruction; provided a minimum of 120 training hours are in theoretical instruction in a curriculum; or
 - iv. any other pharmacy technician training course approved by the Board; or
 - b. have successfully completed a minimum of 500 hours of employment as a pharmacy technician trainee. Documentation of completion of the required 500 hours of experience shall be attested to by the applicant under the pains and penalties of perjury and witnessed by the employer; and
 - 6. Examination Requirement. An applicant for registration as a pharmacy technician must achieve a Board-approved passing score on either:
 - a. a Board-approved pharmacy technician assessment examination administered by the employer or the employer's agent. The examination must cover the following knowledge based areas:
 - i. practice settings;
 - ii. duties and responsibilities of a pharmacy technician in relationship to other pharmacy personnel;
 - iii. laws and regulations regarding the practice of pharmacy and patient confidentiality;
 - iv. medical abbreviations and symbols;
 - v. common dosage calculations; and
 - vi. identification of drugs, dosages, routes of administration, and storage requirements;
 - or
 - b. a Board-approved national technician certification examination.
- (b) GRANDPARENT PROVISION FOR EXPERIENCE PRIOR TO JULY 1, 2002 ONLY- Application Expiration Date of July 1, 2003 for Experience Prior to July 1, 2002. An applicant for registration as a pharmacy technician based on at least 500 hours of employment as a pharmacy technician prior to July 1, 2002 shall be required to:
1. apply to the Board for registration prior to July 1, 2003. Documentation of completion of the required 500 hours of experience must be attested to by the applicant under the pains and penalties of perjury and witnessed by the employer; and
 2. meet the examination requirements of 247 CMR 8.02(1)(a)6. prior to July 1, 2003. Documentation of satisfaction of the examination requirements of 247 CMR 8.02(1)(a)6. must be provided with the application for technician registration.
- (2) Reciprocity Registration. A pharmacy technician currently registered and in good standing in another state may be registered by the Board; provided the requirements for registration in the state of original and current registration are equivalent to the requirements of the Board.
- (3) Pharmacy Technician Duties and Responsibilities.
- (a) A pharmacy technician shall wear a name tag which indicates the individual's name and the title "Pharmacy Technician".
 - (b) A pharmacy technician may relay to the patient or responsible person the pharmacist's "offer to counsel", as referenced in M.G.L. c. 94C, § 21A and 247 CMR 9.07(3).
 - (c) With the approval of the pharmacist on duty, a pharmacy technician may request and accept authorizations for refills from the prescriber or prescriber's agent provided that no information has changed from the previous prescription.
 - (d) A pharmacy technician may **not** administer controlled substances; perform drug utilization review; conduct clinical conflict resolution; contact prescribers concerning drug order clarification or therapy modification; provide patient counseling; perform dispensing process validation; receive new prescription drug orders; or conduct prescription transfers.

8.03: Pharmacy Technician Trainees

- (1) A pharmacy technician trainee must meet the following requirements:
 - (a) be at least 16 years of age;
 - (b) be a high school graduate or the equivalent or currently enrolled in a program which awards such degree;
 - (c) be of good moral character; and
 - (d) not been convicted of a drug related felony or admitted to sufficient facts to warrant such findings.

247 CMR: BOARD OF REGISTRATION IN PHARMACY

8.03: continued

- (2) Pharmacy Technician Trainee Duties and Responsibilities.
 - (a) A pharmacy technician trainee shall wear a name tag with the individual's name and the title "Pharmacy Technician Trainee".
 - (b) Except as set forth below, a pharmacy technician trainee may be authorized to perform the duties of a pharmacy technician while receiving the training and supervision required by 247 CMR 8.02(1)(a)5. and acting under the direct supervision of a pharmacist.
 - (c) A pharmacy technician trainee is not authorized to take prescriptions over the telephone.

- (3) Limitation on Period of Employment as a Pharmacy Technician Trainee. An individual may act and be designated as a pharmacy technician trainee for not more than 1000 hours, unless an extension is granted by the Board. Pharmacy technician trainees under the age of 18 are not subject to the 1000 hour limitation.

8.04: Certified Pharmacy Technicians

- (1) Qualifications.
 - (a) A pharmacy technician currently:
 1. registered by the Board; and
 2. certified by a Board-approved certifying body may perform the duties as authorized to be performed by a certified pharmacy technician in 247 CMR 8.04(2).
 - (b) At any time that certification lapses, the certified pharmacy technician:
 1. is limited to performing the functions of a pharmacy technician;
 2. must use the title "pharmacy technician" and be limited to performing the duties authorized to be performed by pharmacy technicians, as set forth in 247 CMR 8.02; and
 3. must be counted as a "pharmacy technician" in calculating supervisory ratios, as set forth in 247 CMR 8.06(3).

- (2) Certified Pharmacy Technician Duties and Responsibilities.
 - (a) A pharmacy technician eligible to function as a certified pharmacy technician shall wear a name tag with the individual's name and the title "Certified Pharmacy Technician".
 - (b) A certified pharmacy technician may relay to the patient or responsible person the pharmacist's "offer to counsel", as referenced in M.G.L. c. 94C, § 21A and 247 CMR 9.07(3).
 - (c) A certified pharmacy technician, after identifying him/herself as such, may request refill authorizations from the prescriber or prescriber's agent and, with the approval of the pharmacist on duty, receive new or omitted prescription information from the prescriber or agent, except where otherwise prohibited by federal or state law and regulations.
 - (d) A certified pharmacy technician may, with the approval of the pharmacist on duty, perform prescription transfers between pharmacies or pharmacy departments for prescriptions issued for controlled substances in Schedule VI only, any such transfer to be in accordance with the requirements of 247 CMR 9.02.
 - (e) A certified pharmacy technician may **not** administer controlled substances; perform drug utilization review; conduct clinical conflict resolution; contact prescribers concerning prescription drug order clarification or therapy modification; provide patient counseling; or perform dispensing process validation.

8.05: Requirements for the Handling of Schedule II Controlled Substances by Pharmacy Interns, Certified Pharmacy Technicians, Pharmacy Technicians, and Pharmacy Technician Trainees

- (1) Accountability for and security of Schedule II controlled substances shall be the direct responsibilities of the pharmacist.

- (2) Under the supervision of a pharmacist:
 - (a) a pharmacy technician may assist in the transporting of Schedule II controlled substances; and
 - (b) a certified pharmacy technician may assist in the transporting and handling of Schedule II controlled substances; provided, the pharmacist has approved the certified pharmacy technician or pharmacy technician to assist the pharmacist in the handling or transporting of Schedule II controlled substances, in accordance with 247 CMR 8.05(2) and as evidenced by written policies and procedures to be followed in the pharmacy in the transporting and handling Schedule II controlled substances, such policies and procedures to be made available to the Board on request.

8.05: continued

(3) A certified pharmacy technician, pharmacy technician, pharmacy technician trainee, or pharmacy intern may not handle any hydrocodone-only extended release medication that is not in an abuse deterrent form.

8.06: Duties of a Pharmacist Utilizing Pharmacy Interns, Certified Pharmacy Technicians, Pharmacy Technicians and Pharmacy Technician Trainees

In addition to the requirements of 247 CMR 8.02 to 8.05, the following shall apply to a pharmacist utilizing pharmacy interns, certified pharmacy technicians, pharmacy technicians and pharmacy technician trainees:

(1) A pharmacist Manager of Record of a pharmacy or pharmacy department or the Director of Pharmacy in an institutional pharmacy which utilizes certified pharmacy technicians, pharmacy technicians, or pharmacy technician trainees shall make the following available to the Board upon request:

- (a) a list of currently employed certified pharmacy technicians, pharmacy technicians, and pharmacy technician trainees;
- (b) a written description of the duties delegated to certified pharmacy technicians, pharmacy technicians, and pharmacy technician trainees; and
- (c) a written description of the scopes of responsibility for certified pharmacy technicians, pharmacy technicians, and pharmacy technician trainees.

(2) A pharmacist may train a pharmacy technician or pharmacy technician trainee through an on-the-job training program, in accordance with the requirements of 247 CMR 8.02(1)(a)5.a. and b. All such training programs shall comply with written guidelines formulated by the pharmacy or pharmacy department in a manner consistent with professional, ethical, and legal standards of proper pharmacy practice. Copies of training program guidelines shall be provided to the Board on request.

(3) Supervisory Ratios.

(a) A pharmacist utilizing pharmacy interns, certified pharmacy technicians, pharmacy technicians, and pharmacy technician trainees to assist in filling prescriptions may utilize such support personnel in accordance with the following ratio requirements:

1. 1:4 One pharmacist for a maximum of four support personnel; provided:
 - a. at least one of the four support personnel is a certified pharmacy technician and one is a pharmacy intern; or
 - b. at least two of the support personnel are certified pharmacy technicians.
2. 1:3 One pharmacist for a maximum of three support personnel; provided at least one of the three support personnel is a pharmacy intern or a certified pharmacy technician.

(b) Sales clerks, messengers, delivery personnel, secretaries and any other persons who do not fall within the definitions of a pharmacy intern, certified pharmacy technician, pharmacy technician or pharmacy technician trainee shall not be included for purposes of determining the ratios set forth in 247 CMR 8.06(3) as long as such persons are not supporting the pharmacist in any professional capacity.

8.07: Registration and Renewal Procedures; General Requirements

(1) Application for Registration. Upon meeting the requirements for registration as a pharmacy technician, an applicant may apply for registration on forms provided by the Board.

(2) Renewal of Registration.

- (a) Pharmacy technician registrations expire every two years on the birthdate of the registrant.

247 CMR: BOARD OF REGISTRATION IN PHARMACY

8.07: continued

(b) A pharmacy technician registration must be timely renewed to continue practice as a pharmacy technician. Any practice as a pharmacy technician after the expiration date of a pharmacy technician registration shall constitute unlicensed practice as a pharmacy technician subjecting the individual to any and all penalties established for unlicensed practice.

(c) A pharmacy technician whose registration has lapsed may renew such registration upon filing of a renewal application and payment of an annual license, applicable back fees, and a late fee, as established by the Commissioner of Administration and Finance, pursuant to M.G.L. c. 7, § 3B.

(d) A pharmacy technician whose registration has lapsed for more than two years may be required to meet other conditions as determined by the Board as a prerequisite to registration renewal.

(3) General Requirements.

(a) A pharmacy technician who changes his or her mailing address or name shall notify the Board of such change(s) in writing within ten working days of such changes(s) (M.G.L. c. 112, § 24F). In the case of a change of name, the pharmacy technician shall submit a sworn statement indicating that the pharmacy technician has changed his or her name with a photocopy of a valid picture identification card.

(b) A pharmacy technician shall carry, or have readily available, at all times where the pharmacy technician is employed, evidence of current registration with the Board.

REGULATORY AUTHORITY

247 CMR 8.00: M. G. L. c. 94C, § 6; M.G.L. c. 112, §§ 30 and 42A.