

247 CMR 8.00: PHARMACY INTERNS AND TECHNICIANS

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8.01: Pharmacy Interns

- (1) To be eligible for licensure as a pharmacist, a candidate shall have completed a Board-approved pharmacy internship, which shall include:
 - (a) at least 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. at least 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;
 - d. analytical or industrial pharmacy; or
 - (b) at least 1500 intern hours acquired through experiential pharmacy education, provided the student is a graduate of an ACPE accredited college or university.
- (2) In order to be eligible for a pharmacy intern license, an individual shall:
 - (a) have achieved standing as a student in the first professional year in an approved college/school of pharmacy, or from a foreign school of pharmacy that has arranged internship experiences in collaboration with an approved college/school of pharmacy;
 - (b) be currently enrolled in a Doctor of Pharmacy ("PharmD") program; and
 - (c) be of good moral character.
- (3) A pharmacy intern shall work under the direct supervision of a registered pharmacist preceptor.
- (4) A pharmacy intern may not receive more than 12 hours of pharmacy internship credit per day.
- (5) Pharmacy internship hours may be acquired throughout a calendar year.
- (6) An application for a pharmacy intern license shall be made on forms prescribed by, and available from, the Board. The application shall include:
 - (a) the applicant's name;
 - (b) the applicant's address;
 - (c) the applicant's date of birth;
 - (d) a recent passport-size photo revealing the applicant's likeness; and
 - (e) a certified statement by the approved college/school of pharmacy which indicates that the applicant has achieved standing as a student in the first professional year and is enrolled in a PharmD program.
- (7) 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, issued within the preceding year, from NABP to sit for the FPGEE and must provide a copy of the NABP FPGEE authorization to the Board, along with any other documentation required by the Board.

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(8) A PharmD graduate from an approved College/School of Pharmacy, who has accepted a residency in Massachusetts, shall apply for and obtain a pharmacy intern license until such time as he or she obtains a Massachusetts pharmacist license. A PharmD graduate enrolled in a residency in Massachusetts shall:

- (a) hold a Massachusetts pharmacist license; or
- (b) hold Massachusetts pharmacy intern license and be supervised by a pharmacist.

(9) 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.

(10) 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 licensed as a pharmacist.

(11) The Board may grant credit for out-of-state pharmacy internship experience where an affidavit or certificate of approval issued by the jurisdiction where the experience was acquired, is presented to the Board indicating that such internship experience has been duly approved in the jurisdiction.

(12) 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 may determine whether or not student participation in such project(s) or program(s) may be credited to the internship requirement.

(13) The Board shall issue a Summary of Objectives and Procedures for Pharmacy Internship and guidelines for registered pharmacist preceptors and pharmacy interns.

(14) A pharmacy intern shall wear a name tag which indicates the intern's name and the words "pharmacy intern."

(15) A pharmacy intern acting under the direct supervision of a registered pharmacy preceptor may supervise pharmacy technicians.

(16) A registered pharmacist preceptor shall not directly supervise more than two pharmacy interns at one time.

(17) 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 licensure, in addition to other sanctions imposed by the Board.

(18) A pharmacy intern shall provide written notification to the Board within 14 days of his or her withdrawal from an approved College/School of Pharmacy or PharmD program.

8.02: Pharmacy Technicians

(1) No individual may serve as a pharmacy technician without holding a valid pharmacy technician license from the Board.

(2) An application for a pharmacy technician license shall be made on forms prescribed by, and available from, the Board. The application shall include:

- (a) the applicant's name;
- (b) the applicant's address;
- (c) the applicant's date of birth; and
- (d) a recent passport-size photo revealing the applicant's likeness.

(3) An applicant for a pharmacy technician license shall:

- (a) be at least 18 years of age or older;

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- (b) be a high school graduate or the equivalent or currently enrolled in a program which awards such degree or certificate;
 - (c) be of good moral character;
 - (d) not have been convicted of a drug related felony or admitted to sufficient facts to warrant such findings; and
 - (e) satisfy one of the following requirements:
 - 1. hold certification conferred by a board approved certifying body;
 - 2. hold a license as a pharmacy technician in another state provided that the requirements for licensure in the original state are substantially equivalent to the requirements of the Board and the license is in good standing at the time of the application; or
 - 3. achieve a Board-approved passing score on a Board-approved pharmacy technician assessment examination after having successfully completed one of the following:
 - a. 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; or
 - b. 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.
- (4) A Board-approved training program may include:
- (a) a pharmacy technician training program accredited by the American Society of Health System Pharmacists;
 - (b) a pharmacy technician training program provided by a branch of the United States Armed Services or Public Health Service;
 - (c) a Board-approved pharmacy technician training program which includes a minimum of 120 hours of theoretical and 120 hours of practical instruction;
 - (d) any other pharmacy technician training course approved by the Board.
- (5) A Board-approved examination shall cover the following knowledge based areas:
- (a) practice settings;
 - (b) duties and responsibilities of a pharmacy technician in relationship to other pharmacy personnel;
 - (c) laws and regulations regarding the practice of pharmacy and patient confidentiality;
 - (d) medical abbreviations and symbols;
 - (e) common dosage calculations; and
 - (f) identification of drugs, dosages, routes of administration, and storage requirements.
- (6) Pharmacy Technician Duties and Responsibilities.
- (a) A pharmacy technician shall wear a name tag which indicates the individual's first 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): *Patient Counseling*.
 - (c) With the approval of the pharmacist on duty, a pharmacy technician may request and accept authorizations for refills from a prescriber or a prescriber's agent provided that no information has changed from the previous prescription.
 - (d) A pharmacy technician may not administer medications or vaccines, perform drug utilization review, conduct clinical conflict resolution, contact prescribers concerning therapy clarification or therapy modification, provide patient counseling, or perform final dispensing process validation.

8.03: Pharmacy Technician Trainees

- (1) No individual may serve as a pharmacy technician trainee without holding a valid Pharmacy Technician Trainee License from the Board.

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- (2) A pharmacy technician trainee shall:
 - (a) be at least 16 years of age or older;
 - (b) be a high school graduate or the equivalent or currently enrolled in a program which awards such degree or certificate;
 - (c) be of good moral character; and
 - (d) not have been convicted of a drug related felony or admitted to sufficient facts to warrant such findings.
- (3) An application for a pharmacy technician trainee License shall be made on forms prescribed by, and available from, the Board. The application shall include:
 - (a) the applicant's name;
 - (b) the applicant's address;
 - (c) the applicant's date of birth; and
 - (d) a recent passport-size photo revealing the applicant's likeness.
- (4) Pharmacy Technician Trainee Duties and Responsibilities.
 - (a) A pharmacy technician trainee shall wear a name tag with the individual's first name and the title "Pharmacy Technician Trainee."
 - (b) Except as set forth in 247 CMR 8.03(4)(c), a pharmacy technician trainee may be authorized to perform the duties of a pharmacy technician while acting under the direct supervision of a pharmacist.
 - (c) A pharmacy technician trainee may not take prescriptions over the telephone.
- (5) Limitation on Period of Employment as a Pharmacy Technician Trainee. An individual may not work as a pharmacy technician trainee for more than 1500 hours or for more than one year, whichever period is shorter, unless:
 - (a) the Board grants an extension;
 - (b) the individual has not yet reached 18 years of age; or
 - (c) the individual has not yet completed at least 500 hours of employment as a pharmacy technician trainee.

An individual who has worked as a pharmacy technician trainee for more than 1500 hours or for more than one year prior to his or her 18th birthday shall submit an application for a pharmacy technician license within 30 days of his or her 18th birthday.

8.04: Certified Pharmacy Technicians

- (1) No individual may work as a certified pharmacy technician without holding a valid pharmacy technician license from the Board.
- (2) Certified pharmacy technician means a pharmacy technician that is certified by a Board-approved certifying body.
- (3) In the event that a certified pharmacy technician's certification lapses, that technician shall:
 - (a) be limited to performing the duties and responsibilities of a pharmacy technician, as set forth in 247 CMR 8.02;
 - (b) use the title "pharmacy technician"; and
 - (c) be counted as a "pharmacy technician" in calculating supervisory ratios, as set forth in 247 CMR 8.06(3).
- (4) Certified Pharmacy Technician Duties and Responsibilities.
 - (a) A certified pharmacy technician shall wear a name tag with the individual's first 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): *Patient Counseling*.

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- (c) A certified pharmacy technician, after identifying him or 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 laws and regulations. This includes communicating orally or in writing to the prescriber or prescriber's agent any information recorded on a patient profile that does not require professional judgment or interpretation.
- (d) A certified pharmacy technician may, with the approval of the pharmacist on duty, perform prescription transfers between pharmacies for prescriptions issued for controlled substances in Schedule VI only and in accordance with the requirements of 247 CMR 9.00: *Code of Professional Conduct; Professional Standards for Registered Pharmacists, Pharmacies and Pharmacy Departments*.
- (e) A certified pharmacy technician may not administer medications or vaccines, perform drug utilization review, conduct clinical conflict resolution, contact prescribers concerning therapy clarification or therapy modification, provide patient counseling, or perform final patient 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 responsibility 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. Such policies and procedures shall be made available to the Board on request.
- (3) A certified pharmacy technician, pharmacy technician, or pharmacy technician trainee may not handle any hydrocodone-only extended release medication that is not in an abuse deterrent form. Pharmacy interns under the direct supervision of a registered pharmacist may handle hydrocodone-only extended release medication that is not in an abuse deterrent formulation.

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

- (1) A pharmacist Manager of Record 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 247 CMR 8.00. All such training programs shall comply with written guidelines formulated by the pharmacy 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.

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(3) Supervisory Ratios.

(a) A pharmacist utilizing pharmacy interns, certified pharmacy technicians, pharmacy technicians, and pharmacy technician trainees to assist in filling prescriptions shall comply with the following minimum supervisory ratios:

1. 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; or
 - c. two of the support personnel are pharmacy interns.
2. 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: Renewal Procedures

- (1) A pharmacy technician license shall expire every two years on the birthdate of the licensee.
- (2) A pharmacy technician license 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 license shall constitute unlicensed practice as a pharmacy technician subjecting the individual to any and all penalties established for unlicensed practice.
- (3) A pharmacy technician whose license has lapsed may renew such license 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.
- (4) A pharmacy technician whose license has lapsed for more than two years may be required to meet other conditions as determined by the Board as a prerequisite to license renewal.

8.08. Legally Protected Health Care Activity

No person shall be denied initial licensure or denied renewal due to any complaint, criminal charge, conviction, judgment, discipline, or other sanction due to providing or assisting in providing, or dispensing medication for, reproductive health care services or gender-affirming health care services, as defined at M.G.L. c. 12, § 11I½, so long as the services provided would have been lawful in Massachusetts and are consistent with standards for good professional practice in Massachusetts.

REGULATORY AUTHORITY

247 CMR 8.00: M.G.L. c. 94C, § 6 and c. 112, §§ 24C, 24D, 24E, 24F, 24G and 42A.