

LCB File No. R048-07

**PROPOSED REGULATION OF THE
STATE BOARD OF PHARMACY**

(This proposed regulation was previously adopted as T018-07)

**REMOVING EDUCATION REQUIREMENT FOR
DISPENSING TECHNICIANS**

Section 1. NAC 639.7425 shall be amended as follows:

1. No person may act as a dispensing technician unless the person is:

(a) A registered pharmaceutical technician; or

(b) Employed at a facility to which a certificate of registration has been issued pursuant to NAC 639.742 and the dispensing practitioner at that facility has registered the person as a dispensing technician.

2. A dispensing practitioner may apply to the Board to register a person as a dispensing technician by submitting to the Board the fee required by NAC 639.744 and proof satisfactory to the Board that the person:

(a) Is 18 years of age or older;

(b) Has received a high school diploma or its equivalent;

(c) Has not been convicted of any felony or misdemeanor involving moral turpitude, dishonesty or the unlawful possession, sale or use of drugs; *and*

(d) Does not have a history of drug abuse ~~}; and~~

~~—(e) Except as otherwise provided in subsection 5, has successfully completed at least 1 year of education at a postsecondary school in the United States, or a substantially equivalent school outside the United States that is approved by the Board. The program of education must have included instruction in algebra and either biology or chemistry.~~

~~—3. For the purpose of paragraph (e) of subsection 2:~~

~~—(a) If the person for whom application for registration as a dispensing technician has been made attended a school outside the United States, a copy of his transcripts from that school must be submitted to an organization satisfactory to the Board which evaluates educational credentials for a written determination of whether the grades received by the person are substantially equivalent to the grades required for a person who attended a similar school in the United States. A copy of the written determination of the organization must be included with the application for registration of the person as a dispensing technician.~~

~~—(b) The person for whom application for registration as a dispensing technician has been made will be determined to have successfully completed instruction in algebra and either biology or chemistry if he received:~~

~~—(1) If he attended a school in the United States, a grade of C or better; and~~

~~—(2) If he attended a school outside the United States, a grade of C or better as determined by an organization described in paragraph (a).~~

~~—4.]~~ . 3. Upon determining that a person for whom application for registration as a dispensing technician has been made by a dispensing practitioner satisfies the requirements of subsections 2 ~~[and 3]~~, the Board will issue to the person a *provisional* certificate of registration as a dispensing technician for that practitioner.

~~[5.]~~ 4. ~~[If the person for whom application for registration as a dispensing technician has been made satisfies all requirements for registration except the educational requirement set forth in paragraph (e) of subsection 2, and the dispensing practitioner who made the application certifies to the Board in writing that, in lieu of the educational requirement, the dispensing practitioner will provide the person with training and experience, the Board will issue to the person a provisional registration as a dispensing technician. In lieu of the educational requirement set forth in paragraph (e) of subsection 2, the person]~~ *Any person who qualifies under subsection 2 will be issued a provisional registration. While the person has a provisional registration, he* must complete at least 500 hours of training and experience provided by the dispensing practitioner relating to the skills that the person will be performing as a dispensing technician for that dispensing practitioner. Only that training and experience received by the person after the provisional registration is issued may be applied to satisfy the 500-hour requirement. In providing the training and experience, the dispensing practitioner shall supervise the training and experience of the person by observing the work of the person on a random basis at least three times each day during which the person is receiving training and experience. Upon the completion of the required 500 hours of training and experience, the dispensing practitioner shall file with the Board a signed affidavit certifying:

- (a) The number of hours of training and experience successfully completed by the person;
- (b) The specific training and experience received by the person; and
- (c) That the person is, in the opinion of the dispensing practitioner, competent to perform the duties of a dispensing technician.

~~[6.]~~ 5. The Board, upon receiving the affidavit of the dispensing practitioner pursuant to subsection 5, will issue to the person a certificate of registration as a dispensing technician for that practitioner.