

HOUSE BILL No. 2510

By Committee on Vision 2020

1-27

1 AN ACT concerning pharmacy technicians; relating to qualifications,
2 expiration and renewal of registration; revocation, suspension or
3 limitation of registration; responsibilities of pharmacists and pharmacy;
4 amending K.S.A. 2013 Supp. 65-1663 and repealing the existing
5 section.

6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2013 Supp. 65-1663 is hereby amended to read as
9 follows: 65-1663. (a) It shall be unlawful for any person to function as a
10 pharmacy technician in this state unless such person is registered with the
11 board as a pharmacy technician. Every person registered as a pharmacy
12 technician shall pass ~~an examination~~ *one or more examinations identified*
13 *and approved by the board within 30 days of the period or periods of time*
14 *specified by the board after becoming registered. The board shall adopt*
15 *rules and regulations identifying the required examinations, when they*
16 *must be passed and establishing the criteria for the required ~~examination~~*
17 *examinations and a passing ~~score~~ scores. The board may include as a*
18 *required examination any national pharmacy technician certification*
19 *examination.*

20 (b) All applications for registration shall be made on a form to be
21 prescribed and furnished by the board. Each application for registration
22 shall be accompanied by a registration fee fixed by the board by rule and
23 regulation ~~of~~ not to exceed \$50.

24 (c) The board shall take into consideration any felony conviction of
25 an applicant, but such conviction shall not automatically operate as a bar to
26 registration.

27 (d) Each pharmacy technician registration issued by the board shall
28 expire on October 31 of the year specified by the board. Each applicant for
29 renewal of a pharmacy technician registration shall be made on a form
30 prescribed and furnished by the board and shall be accompanied by a
31 renewal fee fixed by the board by rule and regulation ~~of~~ not to exceed \$25.
32 Except as otherwise provided in this subsection, the application for
33 registration renewal, when accompanied by the renewal fee *and evidence*
34 *satisfactory to the board that the person has successfully complied with*
35 *the rules and regulations of the board establishing the requirements for a*
36 *program of continuing pharmacy technician education and received by the*

1 executive secretary of the board on or before the date of expiration of the
2 registration, shall have the effect of temporarily renewing the applicant's
3 registration until actual issuance or denial of the renewal registration. If at
4 the time of filing a proceeding is pending before the board which may
5 result in the suspension, probation, revocation or denial of the applicant's
6 registration, the board may by emergency order declare that the application
7 for renewal shall not have the effect of temporarily renewing such
8 applicant's registration. If the renewal fee is not paid by December 1 of the
9 renewal year, the registration is void.

10 (e) (1) The board may limit, suspend or revoke a registration or deny
11 an application for issuance or renewal of any registration as a pharmacy
12 technician on any ground, which would authorize the board to take action
13 against the license of a pharmacist under K.S.A. 65-1627, and
14 amendments thereto.

15 (2) The board may require a physical or mental examination, or both,
16 of a person applying for or registered as a pharmacy technician.

17 (3) The board may temporarily suspend or temporarily limit the
18 registration of any pharmacy technician in accordance with the emergency
19 adjudicative proceedings under the Kansas administrative procedure act if
20 the board determines that there is cause to believe that grounds exist for
21 disciplinary action under this section against the registrant and that the
22 registrant's continuation of pharmacy technician functions would constitute
23 an imminent danger to the public health and safety.

24 (4) Proceedings under this section shall be subject to the Kansas
25 administrative procedure act.

26 (f) Every registered pharmacy technician, within 30 days of obtaining
27 new employment, shall furnish the board's executive secretary notice of
28 the name and address of the new employer.

29 (g) Each pharmacy shall at all times maintain a list of the names of
30 pharmacy technicians employed by the pharmacy. A pharmacy technician
31 shall work under the direct supervision and control of a pharmacist. It shall
32 be the responsibility of the supervising pharmacist to determine that the
33 pharmacy technician is in compliance with the applicable rules and
34 regulations of the board, and the supervising pharmacist shall be
35 responsible for the acts and omissions of the pharmacy technician in the
36 performance of the pharmacy technician's duties. The ratio of pharmacy
37 technicians to pharmacists in the prescription area of a pharmacy shall be
38 prescribed by the board by rule and regulation. Any change in the ratio of
39 pharmacy technicians to pharmacists in the prescription area of the
40 pharmacy must be adopted by a vote of no less than six members of the
41 board.

42 (h) A person holding a pharmacy technician registration shall display
43 such registration in that part of the place of business in which such person

1 is engaged in pharmacy technician activities.

2 (i) The board shall adopt such rules and regulations as are necessary
3 to ensure that pharmacy technicians are adequately trained as to the nature
4 and scope of their lawful duties.

5 (j) The board may adopt rules and regulations as may be necessary to
6 carry out the purposes and enforce the provisions of this act.

7 (k) This section shall be part of and supplemental to the pharmacy act
8 of the state of Kansas.

9 Sec. 2. K.S.A. 2013 Supp. 65-1663 is hereby repealed.

10 Sec. 3. This act shall take effect and be in force from and after its
11 publication in the statute book.