

## RULE ANALYSIS

**Introduction:** THESE AMENDMENTS ARE SUBMITTED TO THE BOARD FOR CONSIDERATION AS PROPOSED RULES

**Short Title:** Registration Requirements

**Rule Numbers:** §297.3

**Statutory Authority:** Texas Pharmacy Act, Chapter 551-566 and 568-569, Occupations Code:

- (1) Section 551.002 specifies that the purpose of the Act is to protect the public through the effective control and regulation of the practice of pharmacy;
- (2) Section 554.051 gives the Board the authority to adopt rules for the proper administration and enforcement of the Act; and
- (3) Section 411.084 of the Government Code gives the agency the authority to obtain criminal history information from the Federal Bureau of Investigations.

**Purpose:** The amendments, if adopted, clarify the requirements for registration as a pharmacy technician trainee and pharmacy technician and that the Board may require individuals to submit the required information to perform a criminal background check including fingerprinting.

**Background:** Staff presents these amendments to clarify registration requirements and clarify that criminal background information may be required for licensure.

1 TITLE 22. EXAMINING BOARDS  
2 PART 15. TEXAS STATE BOARD OF PHARMACY  
3 CHAPTER 297. PHARMACY TECHNICIANS AND PHARMACY TECHNICIAN TRAINEES  
4

5  
6 §297.3 Registration Requirements  
7

8  
9 (a) General.

10  
11 (1) – (2) (No change.)  
12

13 **(3) Individuals who apply and are qualified for both a pharmacy technician trainee**  
14 **registration and a pharmacy technician registration concurrently will not be**  
15 **considered for a pharmacy technician trainee registration.**  
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17 (b) Registration for pharmacy technician trainees. An individual may register as a pharmacy  
18 technician trainee only once and the registration may not be renewed.

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20 (1) Each applicant for registration ~~[shall]~~:

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22 (A) **shall** have a high school or equivalent diploma (e.g., GED), or be working to achieve  
23 a high school or equivalent diploma. For the purposes of this subparagraph, an applicant for  
24 registration may be working to achieve a high school or equivalent diploma for no more than  
25 two years;

26  
27 (B) **shall** complete the Texas application for registration; and  
28

29 (C) **may be required to** meet all requirements necessary in order for the Board to access  
30 the criminal history record information, including submitting fingerprint information and  
31 paying the required fees.  
32

33  
34 (2) (No change.)  
35

36 (3) Pharmacy technician trainee registrations expire two years from the date of registration  
37 **or upon notification of registration as a registered pharmacy technician, whichever is**  
38 **earlier.**  
39

40 (c) Initial registration for pharmacy technicians.

41  
42 (1) – (2) (No change.)  
43

44 (3) Once an applicant has successfully completed all requirements of registration, and the  
45 board has determined there are no grounds to refuse registration, the applicant will be  
46 notified of registration as a registered pharmacy technician and of his or her pharmacy  
47 technician registration number. **If the pharmacy technician applicant was registered as**  
48 **a pharmacy technician trainee at the time the pharmacy technician registration is**  
49 **granted, the pharmacy technician trainee registration expires.**  
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51 (d) – (e) (No change.)  
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