

RULE ANALYSIS

Introduction: THE AMENDMENTS ARE SUBMITTED TO THE BOARD FOR CONSIDERATION AS A PROPOSED RULE

Short Title: Continuing Education

Rule Numbers: §297.8

Statutory Authority: Texas Pharmacy Act, Chapter 551-569, 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; and
- (2) Section 554.051 gives the Board the authority to adopt rules for the proper administration and enforcement of the Act.

Purpose: The amendments, if adopted, update the continuing education requirements for pharmacy technicians.

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

5 **§297.8 Continuing Education Requirements**
6

7 (a) Pharmacy Technician Trainees. Pharmacy technician trainees are not required to complete
8 continuing education.
9

10 (b) Pharmacy Technicians.

11
12 (1) All pharmacy technicians shall be exempt from the continuing education requirements
13 during their initial registration period.
14

15 (2) All pharmacy technicians must complete **and report** 20 contact hours of approved
16 continuing education **obtained during the previous** [per] renewal period in pharmacy related
17 subjects in order to renew their registration as a pharmacy technician. ~~[No more than 10 of the~~
18 ~~20 hours may be earned at the pharmacy technician's workplace through in-service education~~
19 ~~and training under the direct supervision of the pharmacist(s).]~~
20

21 (3) ~~[For renewals received after January 1, 2015, one hour specified in paragraph (2) of this~~
22 ~~subsection shall be related to Texas pharmacy laws or rules.]~~
23

24 **A pharmacy technician may satisfy the continuing education requirements by:**
25

26 **(A) successfully completing the number of continuing education hours necessary to**
27 **renew a registration as specified in paragraph (2) of this subsection;**
28

29 **(B) successfully completing during the preceding license period, one credit hour for**
30 **each year of the renewal period, in pharmacy related college course(s); or**
31

32 **(C) taking and passing the Pharmacy Technician Certification Exam (PTCE) during the**
33 **preceding renewal period, which shall be equivalent to the number of continuing**
34 **education hours necessary to renew a registration as specified in paragraph (2) of this**
35 **subsection.**
36

37 **(4) To renew a registration, a pharmacy technician must report on the renewal**
38 **application completion of at least twenty contact hours of continuing education. The**
39 **following is applicable to the reporting of continuing education contact hours.**
40

41 **(A) For renewals received after January 1, 2015, at least one contact hour of the 20**
42 **contact hours specified in paragraph (2) of this subsection shall be related to Texas**
43 **pharmacy laws or rules.**
44

45 **(B) Any continuing education requirements which are imposed upon a pharmacy**
46 **technician as a part of a board order or agreed board order shall be in addition to the**
47 **requirements of this section.**
48
49
50
51

52 **(5)** [(4)] Pharmacy technicians are required to maintain records of completion of continuing
53 education for three years from the date of reporting the hours on a renewal application. The
54 records must contain at least the following information:

- 55
56 (A) name of participant;
57
58 (B) title and date of program;
59
60 (C) program sponsor or provider (the organization);
61
62 (D) number of hours awarded; and
63
64 (E) dated signature of sponsor representative.

65
66 **(6)** [(5)] The board shall audit the records of pharmacy technicians for verification of reported
67 continuing education credit. The following is applicable for such audits.

68
69 (A) Upon written request, a pharmacy technician shall provide to the board copies of the
70 record required to be maintained in paragraph **(5)** [(4)] of this subsection or certificates of
71 completion for all continuing education contact hours reported during a specified registration
72 period. Failure to provide all requested records by the specified deadline constitutes prima facie
73 evidence of a violation of this rule.

74
75 (B) Credit for continuing education contact hours shall only be allowed for programs for which
76 the pharmacy technician submits copies of records reflecting that the hours were completed
77 during the specified registration period(s). Any other reported hours shall be disallowed.

78
79 (C) A pharmacy technician **who submits false or fraudulent records to the board shall be**
80 **subject to disciplinary action by the board.** [shall not submit false or fraudulent records to the
81 board.]

82
83 **(7) The following is applicable if a pharmacy technician fails to report completion of the**
84 **required continuing education.**

85
86 **(A) The registration of a pharmacy technician who fails to report completion of the**
87 **required number of continuing education contact hours shall not be renewed and the**
88 **pharmacy technician shall not be issued a renewal certificate for the license period until**
89 **such time as the pharmacy technician successfully completes the required continuing**
90 **education and reports the completion to the board.**

91
92 **(B) A person shall not practice as a pharmacy technician without a current renewal**
93 **certificate.**

94
95 **(8) A pharmacy technician who has had a physical disability, illness, or other**
96 **extenuating circumstances which prohibits the pharmacy technician from obtaining**
97 **continuing education credit during the preceding license period may be granted an**
98 **extension of time to complete the continued education requirement. The following is**
99 **applicable for this extension:**

100
101 **(A) The pharmacy technician shall submit a petition to the board with his/her**
102 **registration renewal application which contains:**

103
104 (i) the name, address, and registration number of the pharmacy technician;
105
106 (ii) a statement of the reason for the request for extension;
107
108 (iii) if the reason for the request for extension is health related, a statement from the
109 attending physician(s) treating the pharmacy technician which includes the nature of the
110 physical disability or illness and the dates the pharmacy technician was incapacitated;
111 and
112
113 (iv) if the reason for the request for the extension is for other extenuating
114 circumstances, a detailed explanation of the extenuating circumstances and if because
115 of military deployment, documentation of the dates of the deployment.
116
117 (B) After review and approval of the petition, a pharmacy technician may be granted an
118 extension of time to comply with the continuing education requirement which shall not
119 exceed one license renewal period.
120
121 (C) An extension of time to complete continuing education credit does not relieve a
122 pharmacy technician from the continuing education requirement during the current
123 license period.
124
125 (D) If a petition for extension to the reporting period for continuing education is
126 denied, the pharmacy technician shall:
127
128 (i) have 60 days to complete and report completion of the required continuing
129 education requirements; and
130
131 (ii) be subject to the requirements of paragraph (6) of this subsection relating to
132 failure to report completion of the required continuing education if the required
133 continuing education is not completed and reported within the required 60-day time
134 period.
135
136 (9) The following are considered approved programs for pharmacy technicians.
137
138 (A) Any program presented by an Accreditation Council for Pharmacy Education (ACPE)
139 approved provider subject to the following conditions.
140
141 (i) Pharmacy technicians may receive credit for the completion of the same ACPE
142 course only once during a renewal period.
143
144 (ii) Pharmacy technicians who present approved ACPE continuing education programs
145 may receive credit for the time expended during the actual presentation of the program.
146 Pharmacy technicians may receive credit for the same presentation only once during a
147 license period.
148
149 (iii) Proof of completion of an ACPE course shall contain the following information:
150
151 (I) name of the participant;
152
153 (II) title and completion date of the program;

154
155 (III) name of the approved provider sponsoring or cosponsoring the program;
156
157 (IV) number of contact hours awarded;
158
159 (V) the assigned ACPE universal program number and a "T" designation indicating
160 that the CE is targeted to pharmacy technicians; and
161
162 (VI) either:
163
164 (-a-) a dated certifying signature of the approved provider and the official ACPE
165 logo; or
166
167 (-b-) the Continuing Pharmacy Education Monitor logo.
168
169 (B) Pharmacy related college courses which are part of a pharmacy technician training
170 program or part of a professional degree program offered by a college of pharmacy.
171
172 (i) Pharmacy technicians may receive credit for the completion of the same course
173 only once during a license period. A course is equivalent to one credit hour for each year
174 of the renewal period. One credit hour is equal to 15 contact hours.
175
176 (ii) Pharmacy technicians who teach these courses may receive credit towards their
177 continuing education, but such credit may be received only once for teaching the same
178 course during a license period.
179
180 (C) Basic cardiopulmonary resuscitation (CPR) courses which lead to CPR certification
181 by the American Red Cross or the American Heart Association or its equivalent shall be
182 recognized as approved programs. Pharmacy technicians may receive credit for one
183 contact hour towards their continuing education requirement for completion of a CPR
184 course only once during a renewal period. Proof of completion of a CPR course shall be
185 the certificate issued by the American Red Cross or the American Heart Association or
186 its equivalent.
187
188 (D) Advanced cardiovascular life support courses (ACLS) or pediatric advanced life
189 support (PALS) courses which lead to initial ACLS or PALS certification by the American
190 Heart Association or its equivalent shall be recognized as approved programs. Pharmacy
191 technicians may receive credit for twelve contact hours towards their continuing
192 education requirement for completion of an ACLS or PALS course only once during a
193 renewal period. Proof of completion of an ACLS or PALS course shall be the certificate
194 issued by the American Heart Association or its equivalent.
195
196 (E) Advanced cardiovascular life support courses (ACLS) or pediatric advanced life
197 support (PALS) courses which lead to ACLS or PALS recertification by the American
198 Heart Association or its equivalent shall be recognized as approved programs. Pharmacy
199 may receive credit for four contact hours towards their continuing education requirement
200 for completion of an ACLS or PALS recertification course only once during a renewal
201 period. Proof of completion of an ACLS or PALS recertification course shall be the
202 certificate issued by the American Heart Association or its equivalent.
203

204 (F) Attendance at Texas State Board of Pharmacy Board Meetings shall be recognized
205 for continuing education credit as follows.

206
207 (i) Pharmacy technicians shall receive credit for three contact hours towards their
208 continuing education requirement for attending a full, public board business meeting in
209 its entirety.

210
211 (ii) A maximum of six contact hours are allowed for attendance at a board meeting
212 during a renewal period.

213
214 (iii) Proof of attendance for a complete board meeting shall be a certificate issued by
215 the Texas State Board of Pharmacy.

216
217 (G) Participation in a Texas State Board of Pharmacy appointed Task Force shall be
218 recognized for continuing education credit as follows.

219
220 (i) Pharmacy technicians shall receive credit for three contact hours towards their
221 continuing education requirement for participating in a Texas State Board of Pharmacy
222 appointed Task Force.

223
224 (ii) Proof of participation for a Task Force shall be a certificate issued by the Texas
225 State Board of Pharmacy.

226
227 (H) Attendance at programs presented by the Texas State Board of Pharmacy or
228 courses offered by the Texas State Board of Pharmacy as follows:

229
230 (i) Pharmacy technicians shall receive credit for the number of hours for the program or
231 course as stated by the Texas State Board of Pharmacy.

232
233 (ii) Proof of attendance at a program presented by the Texas State Board of Pharmacy
234 or completion of a course offered by the Texas State Board of Pharmacy shall be a
235 certificate issued by the Texas State Board of Pharmacy.

236
237 (I) Pharmacy technicians shall receive credit toward their continuing education
238 requirements for programs or courses approved by other state boards of pharmacy as
239 follows:

240
241 (i) Pharmacy technicians shall receive credit for the number of hours for the program
242 or course as specified by the other state board of pharmacy.

243
244 (ii) Proof of attendance at a program or course approved by another state board of
245 pharmacy shall be a certificate or other documentation that indicates:

246
247 (I) name of the participant;

248
249 (II) title and completion date of the program;

250
251 (III) name of the approved provider sponsoring or cosponsoring the program;

252
253 (IV) number of contact hours awarded;

254

255 (V) a dated certifying signature of the provider; and

256

257 (VI) documentation that the program is approved by the other state board of
258 pharmacy.

259

260 (J) Completion of an Institute for Safe Medication Practices' (ISMP) Medication Safety
261 Self-Assessment for hospital pharmacies or for community/ambulatory pharmacies shall
262 be recognized for continuing education credit as follows.

263

264 (i) Pharmacy technicians shall receive credit for three contact hours towards their
265 continuing education requirement for completion of an ISMP Medication Safety Self-
266 Assessment.

267

268 (ii) Proof of completion of an ISMP Medication Safety Self-Assessment shall be:

269

270 (I) a continuing education certificate provided by an ACPE approved provider for
271 completion of an assessment; or

272

273 (II) a document from ISMP showing completion of an assessment.

274

275 (K) Programs approved by the American Medical Association (AMA) as Category 1
276 Continuing Medical Education (CME) and accredited by the Accreditation Council for
277 Continuing Medical Education subject to the following conditions.

278

279 (i) Pharmacy technicians may receive credit for the completion of the same CME
280 course only once during a license period.

281

282 (ii) Pharmacy technicians who present approved CME programs may receive credit for
283 the time expended during the actual presentation of the program. Pharmacy technicians
284 may receive credit for the same presentation only once during a license period.

285

286 (iii) Proof of completion of a CME course shall contain the following information:

287

288 (I) name of the participant;

289

290 (II) title and completion date of the program;

291

292 (III) name of the approved provider sponsoring or cosponsoring the program;

293

294 (IV) number of contact hours awarded; and

295

296 (V) a dated certifying signature of the approved provider.

297

298 [~~(6) Pharmacy technicians who are certified by the Pharmacy Technician Certification Board~~
299 ~~and maintain this certification shall be considered as having met the continuing education~~
300 ~~requirements of this section and shall not be subject to audit by the board provided one hour of~~
301 ~~continuing education is related to Texas pharmacy law or rules.]~~