

RULE ANALYSIS

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

Short Title: Internship

Rule Numbers: §§283.2, 283.5

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 §283.2, if adopted, update the definition of a healthcare professional preceptor to include dentists, veterinarians, advanced practice registered nurses, and physician assistants. The amendments to §283.5, if adopted, allow intern-trainees to perform the duties of a pharmacist while under the supervision of a pharmacist preceptor at a site assigned by the college/school of pharmacy.

1 TITLE 22 EXAMINING BOARDS
2 PART 15 TEXAS STATE BOARD OF PHARMACY
3 CHAPTER 283 LICENSING REQUIREMENTS FOR PHARMACISTS
4

5 **§283.5 Pharmacist-Intern Duties**
6

7 (a) A **pharmacist-intern** [~~student-intern or an extended-intern~~] participating in a board-approved
8 internship program may perform any duty of a pharmacist provided the duties are delegated by
9 and under the supervision of:

10 (1) a pharmacist licensed by the board and approved as a preceptor by the board; or
11

12 (2) **healthcare professional preceptor** [~~a pharmacist licensed in a state other than Texas
13 when working in a federal facility and serving as an instructor for a Texas college-based
14 internship program~~].
15

16 (b) A pharmacist preceptor serving as an instructor for a Texas college/school-based internship
17 program, may delegate **any duty of a pharmacist** [~~the following duties~~] to an intern-trainee.
18 [~~working in a site assigned by a Texas college/school of pharmacy board approved program
19 provided the intern-trainee is under the direct supervision of the pharmacist preceptor~~] **An
20 intern-trainee may only perform the duties of a pharmacist in a site assigned by a Texas
21 college/school of pharmacy and the direct supervision of a pharmacist preceptor
22 assigned by a Texas/college/school of pharmacy.** [∴
23

24 ~~–(1) initiating and receiving refill authorization requests;~~
25

26 ~~–(2) entering prescription data into a data processing system;~~
27

28 ~~–(3) taking a stock bottle from the shelf for a prescription;~~
29

30 ~~–(4) preparing and packaging prescription drug orders (i.e., counting tablets/capsules,
31 measuring liquids, and placing them in the prescription container);~~
32

33 ~~–(5) affixing prescription labels and auxiliary labels to the prescription container;~~
34

35 ~~–(6) reconstituting medication;~~
36

37 ~~–(7) prepackaging and labeling prepackaged drugs;~~
38

39 ~~–(8) loading bulk unlabeled drugs into an automated dispensing system provided a pharmacist
40 verifies that the system is properly loaded prior to use;~~
41

42 ~~–(9) bulk compounding;~~
43

44 ~~–(10) compounding non-sterile preparations provided the intern-trainee has completed the
45 training required for pharmacists in §291.131 of this title (relating to Pharmacist Compounding
46 Non-sterile Preparations);~~
47

48 ~~–(11) compounding sterile preparations provided the intern-trainee has completed the training
49 required for pharmacists in §291.133 of this title (relating to Pharmacies Compounding Sterile
50 Preparations); and~~
51

52
53 ~~–(12) administering immunizations provided the intern-trainee has completed the training~~
54 ~~required for pharmacists in §295.15 of this title (relating to Administration of Immunizations or~~
55 ~~Vaccinations by a Pharmacist under Written Protocol of a Physician).]~~

56
57 (c) When not under the supervision of a pharmacist preceptor, a **pharmacist-intern** [~~student-~~
58 ~~intern or an extended-intern~~] may function as a pharmacy technician and perform all of the
59 duties of a pharmacy technician without registering as a pharmacy technician provided the
60 pharmacist-intern:

61
62 (1) is registered with the board as a pharmacist-intern;

63
64 (2) is under the direct supervision of a pharmacist;

65
66 (3) has completed the pharmacy's on-site technician training program;

67
68 (4) has completed the training required for pharmacists in §291.133 of this title (relating to
69 Pharmacies Compounding Sterile Preparations) **if the pharmacist-intern is involved in**
70 **compounding sterile preparations**; and

71
72 (5) is not counted as a pharmacy technician in the ratio of pharmacists to pharmacy
73 technicians. The ratio of pharmacists to pharmacist-interns shall be 1:1 when performing
74 pharmacy technician duties.

75
76 (d) A pharmacist-intern may not:

77
78 (1) present or identify himself/herself as a pharmacist;

79
80 (2) sign or initial any document which is required to be signed or initialed by a pharmacist
81 unless a preceptor cosigns the document; or

82
83 (3) independently supervise pharmacy technicians or pharmacy technician trainees.

NATIONAL ASSOCIATION OF
BOARDS OF PHARMACY

2015

ORGANIZATIONAL LAW

LICENSING LAW

DRUG LAW

CENSUS DATA



Survey of Pharmacy Law

Including all 50 states, DC, Guam, and Puerto Rico

5. Registration for Interns/Preceptors/Training Sites

State	Does Board Require Licensure/Registration of:			Intern Initial Fee	Intern Renewal Fee	Intern Duration of Registration
	Training Sites?	Preceptors?	Interns?			
Alabama	Yes	Yes	Yes	None	None	Y
Alaska	No	Yes	Yes	\$25 P	\$25	2 years A
Arizona	No	Yes	Yes	\$50	C	Up to 6 years C
Arkansas	No	Yes EE	Yes	\$45	—	Intern duration
California	No	No	Yes	\$115	—	1-6 years X
Colorado	No	No	Yes	V	V	2 year (Nov 1-Oct 31)
Connecticut	No	No	Yes	\$60	None	Intern duration
Delaware	No	Yes M, J	Yes	\$50	None	Intern duration
District of Columbia	No	Yes	Yes	\$50	\$50	1 year post-grad
Florida	No	No	Yes	None	None	Intern duration
Georgia	No	No	Yes	\$25	\$25	5 years A
Guam	No	Yes L	Yes	\$40	\$40	1 year
Hawaii	No	No	Yes	\$10	None	Intern duration
Idaho	No	No	Yes	\$50 F	\$50 F	1 year
Illinois	No	No	Yes E	\$40	\$25	1 year
Indiana	No L	No S	Yes	\$10	\$10	1 year A
Iowa	No	No	Yes	\$30	None	U
Kansas	No	Yes	Yes	None	None	6 years
Kentucky	No	Yes	Yes	\$25	None	6 years
Louisiana	No	No	Yes	\$10	None	G
Maine	No	No	Yes	\$25	\$0 CC	1 year
Maryland	No	No	Yes GG	—	—	—
Massachusetts	No	S	Yes	\$95	None	5 years
Michigan	No	Yes	Yes	\$40	\$15	5 years
Minnesota	No	Yes	Yes	\$30	None	Intern duration
Mississippi	No	No	Yes	\$50	None	H
Missouri	No L	No L	Yes	\$50	\$80	2 years A
Montana	No	Yes	Yes	\$80	None	1 year post-grad G
Nebraska	No	No	Yes	\$50	—	AA
Nevada	No	No	Yes	\$40	\$40 B	4 years
New Hampshire	No	No	Yes	\$25	\$25	1 year
New Jersey	Yes	Yes	Yes DD	\$70	\$70	2 years
New Mexico	Yes	Yes	Yes	\$25	\$25	1 year
New York	No	No	Yes	\$70	\$70 D	5 years D
North Carolina	No	No	No	None	None	—
North Dakota	No	No	Yes	\$10	\$110 I	1 year
Ohio	No	No J	Yes	\$22.50	\$22.50	1 year A
Oklahoma	Yes	Yes	Yes	\$100	\$100	5 years
Oregon	No	Yes	Yes	\$50	\$50	2 years
Pennsylvania	No	Yes	Yes	\$35	—	6 years
Puerto Rico	Yes	K	Yes	\$10	\$10	T
Rhode Island	No	No	Yes	\$70	\$70	1 year (Jul 1-Jun 30) A
South Carolina	No	No	Yes	\$50	None	6 years A
South Dakota	No	No M	Yes	\$40	None	1 year
Tennessee	No	No	No	None	None	—
Texas	No	Yes	Yes	None	None	O
Utah	No	No	Yes	\$140 Z	Q	5 years R
Vermont	No	Yes	Yes	None	None	2 years G †
Virginia	No	No	Yes	\$15	None	Varies
Washington	No	Yes	Yes	\$30	\$30	1 year BB
West Virginia	No	No M	Yes	\$10	\$10	1 year
Wisconsin	No	No	No	None	—	N
Wyoming	No	Yes	Yes	\$15	\$15	Annually on Sep 30

Colored text denotes change from 2014 edition.

† Other comments noted in 2014 edition no longer apply.

— Indicates information is not available.

5. Registration for Interns/Preceptors/Training Sites (cont.)

2015

NATIONAL ASSOCIATION OF BOARDS OF PHARMACY

Survey of Pharmacy Law

LICENSING LAW

State	Does Board Report Pharmacist Intern Hours to Other Boards? ¹
Alabama	Yes
Alaska	Yes
Arizona	No
Arkansas	No
California	Yes
Colorado	No
Connecticut	Yes
Delaware	Yes
District of Columbia	No
Florida	Yes
Georgia	Yes
Guam	Yes
Hawaii	Yes FF
Idaho	Yes
Illinois	Yes
Indiana	Yes
Iowa	Yes
Kansas	Yes
Kentucky	Yes
Louisiana	Yes FF
Maine	Yes HH
Maryland	Yes
Massachusetts	No
Michigan	No
Minnesota	Yes
Mississippi	Yes
Missouri	Yes
Montana	Yes
Nebraska	Yes
Nevada	Yes
New Hampshire	No
New Jersey	No
New Mexico	Yes
New York	No
North Carolina	Yes
North Dakota	Yes
Ohio	Yes
Oklahoma	Yes
Oregon	Yes II
Pennsylvania	Yes
Puerto Rico	—
Rhode Island	Yes
South Carolina	Yes
South Dakota	Yes
Tennessee	Yes
Texas	Yes
Utah	Yes
Vermont	Yes
Virginia	Yes
Washington	Yes W
West Virginia	Yes
Wisconsin	No
Wyoming	Yes

LEGEND

- A — May be renewed. (AK – One time only.)
- B — Biennial.
- C — After six years, must be reevaluated; renewal fees are prorated.
- D — One two-year renewal permitted.
- E — Registered as pharmacy technicians.
- F — Extern fee is \$50 at acceptance to an accredited college of pharmacy, to last until July 15, following graduation.
- G — Registration expires one year after date of graduation unless licensed sooner.
- H — Four years or until licensed as a pharmacist, whichever is first.
- I — Internship fee during the four-year professional program (doctor of pharmacy) is \$110 per year. Professional students obtain license through the PILAR program. The initial \$10 fee is for registration as a pharmacy intern by pre-pharmacy students after one successful academic year of pre-pharmacy program.
- J — “Statement of Preceptor” form must be filed with the board prior to obtaining practical experience.
- K — Board “certifies” only preceptors with not less than three years of experience dispensing prescriptions.
- L — Board approval required. (IN – If not licensed, then must be Board approved.)
- M — Must be licensed pharmacist. (SD – In good standing.)
- N — 2,000 hours, postgraduate internship from approved school; 2,000 hours foreign graduate.
- O — Internship hours may be used for the purpose of licensure for no longer than two years from the date the internship is completed. An intern registration expires if one of the following occurs: (1) intern voluntarily or involuntarily ceases enrollment in a college/school of pharmacy; (2) intern does not take the NAPLEX and Texas law exam within six months after graduation or FPGEC certification; (3) intern fails the NAPLEX and/or Texas law exam; or (4) extended intern does not complete the 1,500-hour internship requirement within two years of passing the NAPLEX and Texas law exam.
- P — Plus one-time application fee of \$50.
- Q — Not renewable.
- R — Must surrender license within 60 days of not meeting regulations for licensure (student, resident).
- S — No special registration beyond pharmacist good standing and one-year experience.

Legend continued on page 18

¹ New question added to 2015 Survey.

Colored text denotes change from 2014 edition.

— Indicates information is not available.

LEGEND — cont.

- T — Pharmacists: not specified. Pharmacy technicians: three years, not renewable.
- U — Registration terminates upon earliest of any of the following: licensure to practice pharmacy in any state; lapse, exceeding one year, in pursuit of pharmacy degree; one year following graduation from college of pharmacy. May request extension beyond automatic termination; consideration granted for out-of-state pharmacists participating in Iowa fellowship or residency program.
- V — Fee changes annually. Check with the Board.
- W — \$30 if licensed pharmacist.
- X — Depending on the qualification method.
- Y — Duration is dependent on meeting requirements of Board Rule 680-X-2-.16(5) and Code of Alabama (1975) §34-23-50.
- Z — Additional \$40 for criminal background check.
- AA — Intern registration based on enrollment in or graduation from an accredited pharmacy program expires 15 months after graduation or at time of pharmacist licensure. Intern registration based on graduation from a pharmacy program located outside the United States that is not accredited, expires 15 months from issuance or at time of pharmacist licensure.
- BB — May be renewed annually if: making progress toward graduation, complete an internship to be eligible for initial licensure, reinstatement of previously licensed pharmacist.
- CC — Initial license expires December 31, annually. Pharmacy student interns license may be renewed for successive one-year period at no additional cost upon certification that the licensee continues to be enrolled in a professional academic degree program. The pharmacy student intern license automatically expires on the second renewal subsequent to the licensee's graduation and may not be further renewed.
- DD — Can only license someone as an "intern" if they meet one of the following conditions: (1) Must have graduated from an ACPE-approved school or college of pharmacy and be making an application for initial licensure as a pharmacist more than two years following the date of graduation; (2) Must have graduated from a school or college of pharmacy in a foreign country that has not been accredited by ACPE or that has not been deemed ACPE-equivalent by ACPE; or (3) Must have applied to the Board for reciprocal licensure and have not engaged in the practice of pharmacy for at least 1,500 hours within the two-year period immediately preceding the date of application.
- EE — Pharmacists supervising the first 500 hours of pharmacy practice for a graduate of a foreign college of pharmacy shall be licensed as a preceptor.
- FF — Upon request and payment of fee. (HI — \$15 verification fee. LA — \$10.)
- GG — Regulations pending, COMAR 10.34.38. See Health Occupations Article, Title 12, Subtitle 6D, Annotated Code of Maryland.
- HH — By virtue of paper license verification.
- II — Only reports school-based rotational hours after receiving confirmation from university/college of pharmacy.

NABPLAW Online Search Terms

Registration for Interns/Preceptors/Training Sites (type as indicated below)

- ◆ intern fees
- ◆ intern registration
- ◆ intern renewal
- ◆ preceptor intern training
- ◆ preceptor registration
- ◆ training site requirements