

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**

**DIRECTOR'S OFFICE**

**PHARMACY TECHNICIANS**

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16148, 17707, 17731, 17739, 17739a, 17739b, and 17739c, of 1978 PA 368, as amended, MCL 333.16145(3), 333.16148, 333.17703, 333.17707, 333.17731, 333.17739, 333.17339a, 333.17739b, and 17739c and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, and 2011-4, MCL 330.3101, 445.2001, 445.2011, and 445.2030)

**R 338.3651 Pharmacy technician licensure; eligibility; examination.**

Rule 1. An applicant for licensure as a pharmacy technician shall submit a completed application on a form provided by the department, together with the appropriate fee. In addition to meeting the requirements of the code and the administrative rules promulgated under the code, an applicant shall comply with all of the following requirements:

(a) Have met the requirements specified in section 17739a(1)(b) and (c) of the code, MCL 333.17739a(1)(b) and (c).

(b) Unless exempt under section 17739a(4) of the code, MCL 333.17739a(4), have passed and provided proof to the department of passing any of the following examinations:

(i) Examinations specified in section 17739a(1)(d)(i) and (ii) of the code, MCL 333.17739a(1)(d)(i) and (ii).

(ii) A nationally recognized pharmacy technician certification examination that covers the topics specified in section 17739a(1)(d)(iv) of the code, MCL 333.17739a(1)(d)(iv), and has been approved by the board.

(iii) An employer-based training program examination with a minimum of 100 questions that covers the topics specified in section 17739a(1)(d)(iv) of the code, MCL 333.17739a(1)(d)(iv), and has been approved by the board pursuant to both of the following:

(A) The employer submits to the department at least 60 days prior to administering the examination a completed application for approval of the examination, the examination, and the answers to the examination.

(B) Approval of the examination shall be valid until the examination is changed.

History: 2016 MR 6, Eff. March 16, 2016.

**R 338.3653 Licensure by endorsement.**

Rule 3. (1) An applicant for licensure by endorsement shall submit a completed application on a form provided by the department, together with the requisite fee. In addition to meeting the requirements of the code and administrative rules promulgated under the code, an applicant shall satisfy both of the following requirements:

(a) Have met the requirements specified in section 17739a(1)(b) and (c) of the code, MCL 333.17739a(1)(b) and (c).

(b) Meet 1 of the following requirements:

(i) If licensed less than 5 years in another state, submit proof that the applicant passed 1 of the approved examinations specified in R 338.3651(b).

(ii) If licensed 5 or more years in another state, the applicant is presumed to meet the requirements of section 17739a(1)(d) of the code, MCL 333.17739a(1)(d).

(2) In addition to meeting the requirements of subrule (1) of this rule, an applicant's license shall be verified by the licensing agency of another state of the United States in which the applicant holds a current license or ever held a license as a pharmacy technician. This includes, but is not limited to, showing proof of any disciplinary action taken or pending disciplinary action imposed upon the applicant.

History: 2016 MR 6, Eff. March 16, 2016.

### **R 338.3655 Approved pharmacy technician programs.**

Rule 5. (1) Pursuant to sections 16171(a), 17739(2), and 17739a(1) of the code, MCL 333.16171(a), MCL 333.17739(2), and MCL 333.17739a(1), a student in an approved pharmacy technician program is exempt from, and not eligible for, licensure while in the program. Any of the following pharmacy technician programs are considered board-approved for this purpose:

(a) A pharmacy technician program that is accredited by the accreditation council for pharmacy education (acpe).

(b) A pharmacy technician program that is offered by a pharmacist education program that is accredited by the accreditation council for pharmacy education (acpe).

(c) A comprehensive curriculum-based pharmacy technician education and training program conducted by a school that is licensed pursuant to the Proprietary Schools Act, 1943 PA 148, MCL 395.101 to 395.103.

(d) A pharmacy technician training program utilized by a pharmacy or employer that includes specific training in the functions, specified in MCL 333.17739(1), required to assist the pharmacist in the technical functions associated with the practice of pharmacy.

(2) The contents of the training programs offered under subdivisions (c) and (d) of subrule (1) of this rule shall include, at a minimum, all of the following:

(a) The duties and responsibilities of the pharmacy technician and a pharmacist, including the standards of patient confidentiality and ethics governing pharmacy practice.

(b) The tasks and technical skills, policies, and procedures related to the pharmacy technician's position pursuant to the duties specified in section 17739(1) of the code, MCL 333.17739(1), and R 338.3665.

(c) The pharmaceutical-medical terminology, abbreviations, and symbols commonly used in prescriptions and drug orders.

(d) The general storage, packaging, and labeling requirements of drugs, prescriptions, or drug orders.

(e) The arithmetic calculations required for the usual dosage determinations.

(f) The essential functions related to drug purchasing and inventory control.

(g) The recordkeeping functions associated with prescriptions or drug orders.

(3) To gain approval under subdivisions (c) and (d) of subrule (1) of this rule, an application shall be submitted to the department on a form provided by the department, along with an attestation form that verifies compliance with the information required by subrule (2) of this rule.

(4) A record of a student’s pharmacy technician training and education shall be maintained by the pharmacy technician training program, employer, or pharmacy specified in subrule (1) of this rule for a period of 2 years and shall include both of the following:

- (a) The full name and date of birth of the pharmacy technician student.
- (b) The starting date of the pharmacy technician education program and date the student successfully completed the program.

History: 2016 MR 6, Eff. March 16, 2016.

**R 338.3657 Requirements for relicensure; pharmacy technician.**

Rule 7. (1) An applicant whose Michigan pharmacy technician license has lapsed under the provisions of section 16201(3) or (4) of the code, MCL 333.16201(3) or (4), and is not currently licensed in another state may be relicensed by submitting a completed application on a form provided by the department, together with the appropriate fee, and complying with the following requirements:

Length of period of lapsed license	Lapsed 0-3 Years	Lapsed more than 3 years
<u>Application and fee:</u> Submit a completed application on a form provided by the department, together with the requisite fee	√	√
<u>Continuing education:</u> Submit proof of having completed 20 hours of continuing education specified in R 338.3661(1)(a)(i) which was completed within the 2-year period immediately preceding the application for relicensure.	√	√
<u>Examination:</u> Within 2 years of the period immediately preceding the application for relicensure, pass 1 of the examinations specified in R 338.3651(b)(i to iii).		√

(2) An applicant whose Michigan pharmacy technician license has lapsed and who holds a current and valid license in another state shall comply with all of the following:

- (a) Submit a completed application on a form provided by the department, together with the requisite fee.
- (b) Submit proof of having completed 20 hours of continuing education or passing an exam specified in R 338.3661(1)(d)(ii) which was completed within the 2-year period immediately preceding the application for relicensure.
- (c) An applicant’s license shall be verified by the licensing agency of all other states or territories of the United States in which the applicant holds a current license or ever held a license as a pharmacy technician. If applicable, verification shall include the record of any disciplinary action taken or pending against the applicant.

History: 2016 MR 6, Eff. March 16, 2016.

**R 338.3659. Training standards for identifying victims of human trafficking; requirements.**

Rule 9. (1) Pursuant to section 16148 of the code, MCL 333.16148, an individual licensed or seeking licensure shall complete training in identifying victims of human trafficking that meets the following standards:

- (a) Training content covering all of the following:
  - (i) Understanding the types and venues of human trafficking in the United States.
  - (ii) Identifying victims of human trafficking in health care settings.
  - (iii) Identifying the warning signs of human trafficking in health care settings for adults and minors.
  - (iv) Resources for reporting the suspected victims of human trafficking.
- (b) Acceptable providers or methods of training include any of the following:
  - (i) Training offered by a nationally-recognized or state-recognized health-related organization.
  - (ii) Training offered by, or in conjunction with, a state or federal agency.
  - (iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.
  - (iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a peer review journal, health care journal, or professional or scientific journal.
- (c) Acceptable modalities of training may include any of the following:
  - (i) Teleconference or webinar.
  - (ii) Online presentation.
  - (iii) Live presentation.
  - (iv) Printed or electronic media.

(2) The department may select and audit a sample of individuals and request documentation of proof of completion of training. If audited by the department, an individual shall provide an acceptable proof of completion of training, including either of the following:

- (a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.
- (b) A self-certification statement by an individual. The certification statement shall include the individual's name and either of the following:
  - (i) For training completed pursuant to subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.
  - (ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of peer review journal, health care journal, or professional or scientific journal, and date, volume, and issue of publication, as applicable.

(3) Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule shall apply for license renewals beginning with the first renewal cycle after the promulgation of this rule and for initial licenses issued 5 or more years after the promulgation of this rule.

History: 2016 MR 6, Eff. March 16, 2016.

**R 338.3661 Continuing education or exam; renewal requirements.**

Rule 11. (1) A licensee seeking renewal of a pharmacy technician's license shall comply with all of the following

- (a) Complete and submit an application for renewal.
- (b) Pay the required renewal fee.
- (c) Comply with R 338.3659.
- (d) Comply with 1 of the following:
  - (i) Except as otherwise provided, complete at least 20 hours of continuing education courses or programs as follows:
    - (A) No more than 12 hours of continuing education credit may be earned during a 24-hour period.
    - (B) Credit for a continuing education program or activity that is identical to a program or activity that the licensee has already earned credit for during the renewal period shall not be granted.
    - (C) If audited, the licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of continuing education hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or activity completed.
    - (D) At least 5 of the continuing education credits shall be earned by attending live courses, programs or activities that provide for direct interaction with instructors, peers, and participants, including but not limited to lectures, meetings, symposia, real-time teleconferences or webinars, and workshops.
    - (E) Continuing education credit shall be earned as follows:

Subjects	Number of continuing education hours required or permitted for each activity	
A	Pain and symptom management relating to the practice of pharmacy	Minimum: 1 hour
B	Patient safety	Minimum: 1 hour
C	Pharmacy law	Minimum: 1 hour
D	Pharmacy-related subject matter including the following topics: Medication or drug distribution. Inventory control systems. Mathematics and calculations. Biology. Pharmaceutical sciences. Therapeutic issues. Pharmacy operations. Pharmacology, drug therapy or drug products. Preparation of sterile products. Prescription compounding. Drug repackaging. Patient interaction or interpersonal skills and communication.	Minimum: 17 hours in any combination of D listed subjects. Instruction in each D listed subject is not required. Example 1: Biology, 5 hours; Drug repackaging, 4 hours; Pharmacy operations, 8 hours; total: 17hours. Example 2: Prescription compounding, 17 hours; total: 17 hours. (Minimum: 7 hours in any combination for an applicant under subrule (4) of this rule.)

- (ii) Complete a proficiency examination as specified in R 338.3651(b)(i) to (iii).

(2) Submission of an application for renewal shall constitute the applicant's certification of compliance with this rule. The licensee shall retain documentation of meeting the requirements of this rule for a period of 3 years from the date of applying for license renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221(h).

(3) An applicant who was originally licensed in Michigan less than one year before the renewal date is not required to comply with this rule.

(4) An applicant for renewal who was originally licensed in Michigan more than one year but less than two years before the renewal date shall have accumulated ten hours of continuing education credits pursuant to these rules.

History: 2016 MR 6, Eff. March 16, 2016.

### **R 338.3663 Continuing education providers; standards for approval.**

Rule 13. (1) Continuing education for pharmacy technicians that is offered or approved by any of the following providers meets the requirements of R 338.3661(1):

(a) A pharmacy technician educational program that has been approved pursuant to R 338.3655.

(b) Another state board of pharmacy.

(c) A program approved by the Accreditation Council for Pharmacy Education (ACPE).

(2) A continuing education provider that is not pre-approved under subrule (1) of this rule may be approved by the board. To be approved by the board, the provider shall comply with subrules (2), (3), and (4) of this rule, complete an application provided by the department, and file it with the department for review no later than 60 days before the program date. The application and supporting documentation shall include all of the following information:

(a) A program schedule, including date of the program, topics, the name of speaker, and break times.

(b) An explanation of how the program is being designed to further educate pharmacy technicians, including a short narrative describing the program content and the criteria for the selection of this topic.

(c) Copies of instructional objectives that have been developed.

(d) Copies of all promotional and advertising materials for the program.

(e) The name, title and address of the program director and a description of his or her qualifications to direct the program.

(f) A description of how the amount of continuing education credit to be awarded for this program was determined.

(g) A description of how participants will be notified that continuing education credit has been earned.

(h) A description of the physical facilities, lab, or pharmacy available to ensure a proper learning environment.

(i) A copy of the curriculum vitae for each instructional staff member.

(j) A description of the delivery method or methods to be used and the techniques that will be employed to assure active participation.

(k) A copy of the post-test instrument that will be used for participant evaluation.

(l) A description of how post tests will be administered, corrected, and returned to participants.

(m) A description of how post-test performance will influence the awarding of continuing education credit.

(n) A description of how attendance will be monitored, including sample documents, and the name of the person monitoring attendance.

(3) The continuing education program approved under subrule (2) of this rule shall meet all of the following:

(a) Be an organized program of learning that that will contribute to the advancement and enhancement of professional competency and scientific knowledge in the practice of pharmacy and be designed to reflect the educational needs of pharmacy technicians.

(b) Have a scientific and educational integrity and contain generally accepted pharmacy practices.

(c) Have an outline which demonstrates consistency with the course description and reflects the course content.

(d) Be taught in a manner appropriate to the educational content, objectives, and purpose of the program and allow suitable time to be effectively presented to the audience.

(e) Provide instructors who have the necessary qualifications, training, and experience to teach the course.

(f) Provide for active participation and involvement from the participants.

(g) Offer educational materials for each continuing education activity that will enhance the participant's understanding of the content and foster applications to pharmacy practice.

(h) Include learning assessments in each activity that allow pharmacy technicians to assess their achievement of the learned content. Completion of a learning assessment is required for continuing education content.

(4) The program provider or sponsor approved under subrule (2) of this rule shall issue certificates or letters of attendance that include all of the following:

(a) The name of the sponsor.

(b) The name of the program.

(c) The name of the attendee.

(d) The date of the program.

(e) The Michigan approval number as assigned by the department.

(f) The signature of the person responsible for attendance monitoring and his or her title.

(g) The number and type of hours attended.

History: 2016 MR 6, Eff. March 16, 2016.

### **R 338.3665 Performance of activities and functions; delegation.**

Rule 15. In addition to performing the functions described in section 17739(1) of the code, MCL 333.17739(1), a licensed pharmacy technician may also engage in reconstituting dosage forms as defined in 17702(4) of the code, MCL 333.17702(4), under the delegation and supervision of a licensed pharmacist.

History: 2016 MR 6, Eff. March 16, 2016.