

TITLE 21 – OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 46 - BOARD OF PHARMACY

Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Pharmacy intends to adopt the rule cited as 21 NCAC 46 .1418.

Proposed Effective Date: June 1, 2010

Public Hearing:

Date: April 19, 2010

Time: 5:00 p.m.

Location: North Carolina Board of Pharmacy, 6015 Farrington Road, Suite 201, Chapel Hill, NC 27517

Reason for Proposed Action: To adopt rules necessary to implement the pharmacy technician provisions of the Pharmacy Practice Act in hospital settings by establishing certain technical validation functions that may be performed by pharmacy technicians with advanced education, training and certification, as a means of facilitating pharmacists' delivery of clinical services.

Procedure by which a person can object to the agency on a proposed rule: Any person may object to the proposed amendment by attending the public hearing on April 19, 2010 and/or by submitting a written objection by April 19, 2010 to Jay Campbell, Executive Director, North Carolina Board of Pharmacy, 6015 Farrington Road, Suite 201, Chapel Hill, NC 27517, fax (919)246-1056, email jcampbell@ncbop.org. The North Carolina Board of Pharmacy is interested in all comments pertaining to the proposed rule. All persons interested and potentially affected by the proposal are strongly encouraged to read this entire notice and make comments on the proposed rule.

Comments may be submitted to: Jay Campbell, 6015 Farrington Road, Suite 201, Chapel Hill, NC 27517, fax (919)246-1056, email jcampbell@ncbop.org.

Comment period ends: April 19, 2010

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal Impact:

- State
- Local
- Substantial Economic Impact (>\$3,000,000)
- None

SECTION .1400 - HOSPITALS: OTHER HEALTH FACILITIES

21 NCAC 46 .1418 ADVANCED PHARMACY TECHNICIAN

(a) The purpose of this Section is to set out requirements for the involvement of advanced pharmacy technicians in acute care hospital pharmacy practice settings as a means of facilitating pharmacists' delivery of clinical services.

(b) Advanced Pharmacy Technician. An advanced pharmacy technician is a pharmacy technician who:

- (1) is registered with the Board and trained as specified in G.S. 90-85.15A;
- (2) is a certified technician;
- (3) holds an associate's degree in pharmacy technology conferred by either an institution within the North Carolina Community College System or an institution accredited by the American Society of Health System Pharmacists; and
- (4) assists pharmacists with the preparation, dispensing, and distribution of prescription medications that will be administered by a licensed health care provider to an inpatient in a hospital.

(c) Hospital. For the purposes of this regulation, a hospital is either:

- (1) a hospital licensed by the North Carolina Medical Care Commission; or
- (2) a psychiatric hospital operated by the Secretary of the Department of Health and Human Services.

(d) An advanced pharmacy technician may validate the work of other pharmacy technicians only in connection with registered pharmacy technicians' filling of floor stock and unit dose distribution systems for inpatients in a hospital.

- (1) Advanced pharmacy technicians may validate only the following registered technician functions:
 - (A) stocking of patient care unit medication inventories;
 - (B) stocking of ancillary drug cabinet inventories;

(C) stocking of automated dispensing or drug supply devices;

(D) stocking of emergency kits; and

(E) prepackaging of prescription drugs within the hospital pharmacy.

(2) With respect to compounded or admixed prescription drugs (whether sterile or non-sterile), an advanced pharmacy technician may validate the filling of floor stock and unit dose distribution systems only after a pharmacist has verified that the compounded or admixed prescription drugs have been prepared correctly.

(3) This Rule does not authorize a pharmacy technician to perform any act requiring the exercise of professional judgment by a pharmacist.

(e) The hospital's pharmacist-manager is responsible for the oversight of advanced pharmacy technician practice, and that responsibility may not be delegated pursuant to 21 NCAC 46 .1411. The pharmacist-manager shall develop written policies and procedures that:

(1) establish the parameters for pharmacist supervision of advanced pharmacy technician validation functions;

(2) establish facility-specific training for advanced pharmacy technicians;

(3) establish an ongoing evaluation and assessment program to ensure that advanced pharmacy technician functions are performed safely and accurately; and

(4) establish a recordkeeping system that shall permit the identification of the advanced pharmacy technician who performs activities authorized by this rule. Readily retrievable records generated by this system shall be maintained for the period of time specified in 21 NCAC. 46 .1414(j)(1), unless there has been notification of a medication error resulting from the administration of an incorrect medication or dose that has been validated by an advanced pharmacy technician, in which case these documents shall be maintained for a period of three years.

(f) Pursuant to G.S. 90-85.15A(c), the Board approves a pharmacist's supervision of more than two pharmacy technicians where the additional technicians are advanced pharmacy technicians. This Rule does not relieve the pharmacist-manager of the obligation to request and receive written Board approval for a pharmacist's supervision of more than two pharmacy technicians where the additional technicians are certified pharmacy technicians but are not advanced pharmacy technicians.

(g) A pharmacy technician performing validation functions described in this rule as part of a Board-approved 21 NCAC 46 .2510 pilot project at Broughton State Hospital or Wake Forest University Baptist Medical Center may continue to perform such functions for a period of three years from this Rule's original effective date, after which time the pharmacy technician must meet all of the requirements specified in Paragraph (b) of this Rule to continue performing such functions.

Authority G.S. 90-85.6; 90-85.15A; 90-85.21; 90-85.26; 90-85.32; 90-85.33; 90-85.34.