OREGON BOARD OF PHARMACY



OREGON ADMINISTRATIVE RULES, CHAPTER 855 DIVISION 125 CERTIFIED OREGON PHARMACY TECHNICIANS & PHARMACY TECHNICIANS

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MISSION

The Oregon Board of Pharmacy serves to promote and protect public health, safety and welfare by ensuring high standards in the practice of pharmacy and through effective regulation of the manufacture and distribution of drugs.



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OBJECTIVES

- Demonstrate an understanding of licensee and registrant responsibilities related to record retention, confidentiality, and mandatory reporting to the board.
- Accurately summarize the key requirements, procedures, and potential consequences related to COPT/PT licensure in Oregon.
- Identify the permitted tasks COPT/PT can perform under the supervision, direction, and control of a Pharmacist from prohibited practices, and recognize the limitations in law that prevent independent judgment or decision-making.
- Apply knowledge of the revised rules and responsibilities of COPT/PT in OAR 855-125 including those related to licensure, supervision, permitted and prohibited practices.

QUESTION I

How many working days does a licensee have to report a change in their preferred email address to the board?

- a) 5 days
- b) 10 days
- c) 15 days
- d) 20 days

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QUESTION 2

In Oregon, who can supervise a COPT/PT in activities where the COPT/PT is assisting in the practice of pharmacy?

- a) Any healthcare professional
- b) A registered nurse
- c) A pharmacist
- d) A pharmacy technician with at least 5 years of experience

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QUESTION 3

Which of the following statements is true about a COPT/PT responsibilities and limitations?

- a) The supervising pharmacist is solely responsible for the COPT/PT actions when assisting the pharmacist in the practice of pharmacy
- b) A COPT/PT may only perform tasks that are permitted by the pharmacist who is providing them with supervision, direction, and control
- c) A COPT/PT is not required to identify their license type in chart notes $% \left(1\right) =\left(1\right) \left(1\right)$
- d) A COPT/PT only needs to complete training on the pharmacy policies and procedures when they are first hired

QUESTION 4

A pharmacist may delegate to a pharmacy technician (COPT/PT) the following tasks:

- a) Performing final verification of the drug, dosage, quantity and expiration date
- b) Administering a vaccine
- c) Selecting of vaccines to be administered
- d) Advising a patient on the use of a drug

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QUESTION 5

Which of the following statements is false about CPE documentation requirements?

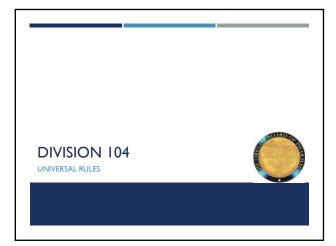
- a) You must register and track ACPE credits with the CPE Monitor.
- b) You must upload all board-approved or ACCME credits to your e-Gov profile.
- c) You must keep all documentation related to your CPE for 6 years.
- d) Excess CPE hours can be carried forward to the next renewal period.

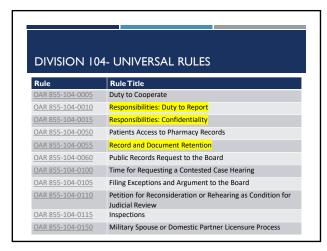
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LAWS AND RULES

- Federal law
 - United States Code (<u>USC</u>) Congress/President
 - Code of Federal Regulations (<u>CFR</u>) Agencies
- State law (statutes and rules)
 - Oregon Revised Statutes (ORS) Legislature/Governor
 - Oregon Administrative Rules (<u>OAR</u>) Agencies

	OREGON ADMIN	IISTRATIVE RULES (OAF	१)- (CHAPTER 855
	DIVISION VISION			
	DIVISION VISION	N - DRAFI		
.00	Definitions	136 DO Pharmacy (RP)	186	DO Nonprescription
02	Board Admin. *Eff. 3/1/2024	139 DO Remote Dispensing Site Pharmacy (RP)	189	DO Prophylactic
04	Universal Rules *Eff. 3/1/2024	141 DO Kiosk (RP)	191	DO Devices
10		143 DO Locker (RP)	194	DO Practitioner Dispensing (RP)
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	Pharmacist *Eff. 3/1/2024	156 DO Pharmacy (IP)	199	DO Animal Euthanasia
	Intern and Preceptor *Eff. 3/1/2024	159 DO Drug Room (IP)	200	Facility- Manufacturer
	COPT/PT *Eff. 3/1/2024	161 DO RDF/RDM (IP)	203	Facility- Wholesaler
30		164 DO Nuclear (IP)	206	Facility- DDA
135	CPE	167 DO LTC/Residential (IP)		
		170 DO Home Infusion (IP)		
		173 DO Home Dialysis (IP)		
		176 DO Home Health Care (IP)		
		177 DO Correctional Facility (IP)		
		103 Compounding		
		180 Controlled Substances 183 Compounding		





OAR 855-104-0010 RESPONSIBILITIES: DUTY TO REPORT

- $(1) \ Unless \ state \ or \ federal \ laws \ relating \ to \ confidentiality \ or \ the \ protection \ of \ health \ information \ prohibit \ disclosure, each \ licensee \ must \ report \ to \ the \ board \ without \ undue \ delay, but \ within$
- (a) 10 days if they:
- (A) Are convicted of a misdemeanor or a felony; or
- (B) Are arrested for a felony; or
- (C) Have reasonable cause to believe that any suspected violation of ORS 475, ORS 689 or OAR 855 has occurred.
- (b) 10 working days if they have reasonable cause to believe that another licensee (of the board or any other Health Professional Regulatory Board) has engaged in prohibited or unprofessional conduct to that licensee's board; or

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OAR 855-104-0010 RESPONSIBILITIES: DUTY TO REPORT

- (c) 15 days, if any change in:
- (A) Legal name;
- (B) For Pharmacists and Interns, name used when engaging in the practice of pharmacy and for Certified Oregon Pharmacy Technicians and Pharmacy Technicians, name used when assisting in the practice of pharmacy.
- (C) Preferred email address;
- (D) Personal phone number;
- (E) Personal physical address;
- (F) Personal mailing address; and
- (G) Employer.

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OAR 855-104-0010 RESPONSIBILITIES: DUTY TO REPORT

- (2) A licensee who reports to a board in good faith as required by ORS 676.150 is immune from civil liability for making the report.
- (3) A Pharmacist, Certified Oregon Pharmacy Technician or Pharmacy Technician who reports to a board in good faith as required by ORS 689.455 is not subject to an action for civil damages as a result thereof.

OAR 855-104-0015 RESPONSIBILITIES: CONFIDENTIALITY

- (1) No licensee or registrant of the board who obtains any patient information may disclose that information to a third-party without the consent of the patient except as provided in (2)(a)-(e) of this rule.
- (2) A licensee or registrant may disclose patient information:
- (a) To the board:
- (b) To a practitioner, Pharmacist, Intern, Certified Oregon Pharmacy Technician, Pharmacy Technician or registrant, if disclosure is authorized by a Pharmacist and disclosure is necessary to protect the patient's health or well-being; or
- (c) To a third-party when disclosure is authorized or required by law; or
- (d) As permitted pursuant to federal and state patient confidentiality laws; or
- (e) To the patient or to persons as authorized by the patient.
- (3) A licensee or registrant of the board may not access or obtain any patient info

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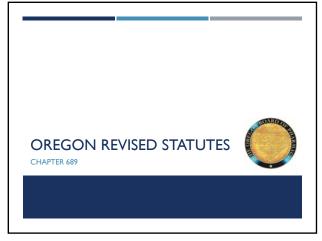
OAR 855-104-0055 <u>RECORD AND DOCUMENT RETENTION</u>

- (1) Each licensee and registrant must create documents and retain records required by ORS 475, ORS 689, and OAR 855. Documents and records:
- (a) May be in written or electronic format;
- (b) Must be stored securely;
- (c) Must be made available to the board upon request; and
- (d) Must be retained for 3 years except that:
- (A) Clinical pharmacy records must be retained for 7 years; and
- (B) Training records for immunization administration and protocol and formulary compendia prescribing, must be retained for 6 years or uploaded into the licensee's electronic licensing record with the board;

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OAR 855-104-0055 RECORD AND DOCUMENT RETENTION

- (2) Records generated by a registrant:
- (b) May be stored in a secured off-site location after 12 months of storage at the registrant and must be provided to the board upon request within 3 business days;
- (3) Records generated in the practice of pharmacy that do not belong to a registrant must be stored by a Pharmacist in a secure manner and provided to the board upon request within 3 business days; and
- (4) Records must be retained for longer periods of time than required under this rule if:
- (a) Federal law provides for a longer retention schedule; or
- (b) Licensee or registrant has received notice of a Board investigation to which the records would be relevant;



BASIC CONCEPTS: ORS 689.005 DEFINITIONS

(25) "Pharmacist" means an individual licensed by this state to engage in the practice of pharmacy or to engage in the practice of clinical pharmacy.

(27) "Pharmacy technician" means a person licensed by the State Board of Pharmacy who assists the pharmacist in the practice of pharmacy pursuant to rules of the board.

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BASIC CONCEPTS: ORS 689.225 & ORS 689.486 SUPERVISION, DIRECTION AND CONTROL

ORS <u>689.225</u>(4)

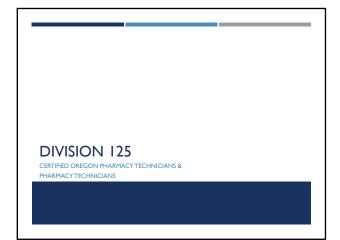
(4) The State Board of Pharmacy shall adopt rules relating to the use of pharmacy technicians working under the supervision, direction and control of a pharmacist. For retail and institutional drug outlets, the board shall adopt rules which include requirements for training, including provisions for appropriate on-the-job training, guidelines for adequate supervision, standards and appropriate ratios for the use of pharmacy technicians. Improper use of pharmacy technicians is subject to the reporting requirements of ORS 689.455.

ORS <u>689.486</u>(6)

(6) A person licensed to perform the duties of a pharmacy technician may perform the duties of a pharmacy technician <u>only under the supervision</u>, <u>direction and control</u> of a licensed pharmacist.

BASIC CONCEPTS: ORS 689.005 "PRACTICE OF PHARMACY" (29) "Practice of pharmacy" means: (a) The interpretation and evaluation of prescription orders; (b) The compounding dispensing and labeling of drugs and devices, except labeling by a manufacturer, packer or distributor of nonprescription drugs and commercially packaged legend drugs and devices; (c) The prescribing and administering of vaccines and immunitations and the providing of patient care services pursuant to ORS 689.645; (d) The participation in drug selection and drug utilization reviews; (e) The participation in drug selection and drug utilization reviews; (f) The reposer and ask storage of drugs and devices and the maintenance of proper records regarding the safe storage of drugs and devices; (d) The repositionshility for advising, where necessary or where regulated, of therapeutic values, content, hazards and use of drugs and devices; (i) The poptimizing of drug therapy through the practice of clinical pharmacy; (i) The optimizing of drug therapy through the practice of clinical pharmacy; (ii) The optimizing of drug therapy through the practice of clinical pharmacy; (iv) The offering or performing of those acts, services, operations or transactions necessary in the conduct, operation, management and control of pharmacy of the prescribing and adjunction of silectable hormonal contracteptives pursuant to ORS 689.689; (iv) The prescribing and adjunction to ORS 689.689; (iv) The prescribing and dispensing of emergency refills of insulin and associated insulin-related devices and supplies pursuant to ORS 689.699; (iv) The prescribing and dispensing and administering of preexposure prophylactic antiretroviral therapies and post-exposure prophylactic antiretroviral

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OAR 855-125-0001 APPLICABILITY

- (1) This Division applies to any individual who $\underline{assists}$ a Pharmacist in the practice of pharmacy.
- (2) Only persons licensed with the board as a Certified Oregon Pharmacy Technician or Pharmacy Technician may assist a Pharmacist in the practice of pharmacy and must act in compliance with statutes and rules under the supervision, direction, and control of a Pharmacist.
- (3) Only persons licensed with the board as a Certified Oregon Pharmacy Technician or Pharmacy Technician may perform final verification when delegated to do so by a Pharmacist and done in compliance with all applicable statutes and rules and under the supervision, direction, and control of that Pharmacist.
- (4) Only a person licensed as a Certified Oregon Pharmacy Technician may use the titles "Certified Oregon Pharmacy Technician" and "COPT."

OAR 855-125-0010 LICENSURE: QUALIFICATIONS - COPT / PT

- (1) To qualify for licensure as a Certified Oregon Pharmacy Technician or Pharmacy Technician, an applicant must demonstrate that the applicant is at least 18 years of age and has completed high school (or equivalent).
- (2) To qualify for licensure as a Certified Oregon Pharmacy Technician, the applicant must also demonstrate that the applicant has taken and passed a national pharmacy technician certification examination offered by:
- (a) Pharmacy Technician Certification Board (PTCB); or
- (b) National Healthcareer Association (NHA).

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OTHER LICENSURE RULES - COPT / PT

- OAR 855-125-0030 Licensure: Application COPT / PT
- OAR 855-125-0035 Licensure: Renewal or Reinstatement COPT / PT
- OAR 855-125-0040 Licensure: Lapse COPT / PT
- OAR 855-125-0050 Licensure: Voluntary Surrender COPT / PT

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OAR 855-125-0105 RESPONSIBILITIES: GENERAL - COPT / PT

- (1) Each Certified Oregon Pharmacy Technician and Pharmacy Technician is responsible for their own actions; however, this does not absolve the Pharmacist and the pharmacy from responsibility for the Certified Oregon Pharmacy Technician or Pharmacy Technician's actions.
- (2) A Certified Oregon Pharmacy Technician or Pharmacy Technician may not engage in the practice of pharmacy as defined in ORS 689.005.

OAR 855-125-0105 RESPONSIBILITIES: GENERAL - COPT / PT

- (3) A Certified Oregon Pharmacy Technician and Pharmacy Technician must:
- (a) Comply with all state and federal laws and rules governing the practice of pharmacy;
- (b) Only assist in the practice of pharmacy under the supervision, direction, and control of a Pharmacist;
- (c) Know the identity of the Pharmacist who is providing supervision, direction and control at all times;
- (d) Only work within the scope of duties permitted by their license;

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OAR 855-125-0105 RESPONSIBILITIES: GENERAL - COPT / PT

- (3) A Certified Oregon Pharmacy Technician and Pharmacy Technician must:
- (e) Only work within the scope of duties permitted by the Pharmacist providing supervision, direction and control;
- (f) Only perform duties they are trained to perform;
- (g) Appropriately perform the duties permitted;
- (h) Only access the pharmacy area when a Pharmacist is physically present at the Drug Outlet Pharmacy or when the Drug Outlet Pharmacy is operating under a Remote Dispensing Site Pharmacy (RDSP) registration and following the requirements in OAR 855-139;

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OAR 855-125-0105 RESPONSIBILITIES: GENERAL - COPT / PT

- $\begin{tabular}{ll} \textbf{(3) A Certified Oregon Pharmacy Technician and Pharmacy Technician must:} \end{tabular}$
- (i) Be clearly identified as a Certified Oregon Pharmacy Technician or Pharmacy Technician in all interactions and communications (e.g., nametag, phone interaction, chart notations);
- (j) Display in plain sight the Certified Oregon Pharmacy Technician or Pharmacy Technician license within the pharmacy or place of business to which it applies;

OAR 855-125-0105 RESPONSIBILITIES: GENERAL - COPT / PT

- (3) A Certified Oregon Pharmacy Technician and Pharmacy Technician must:
- (k) Ensure initial and ongoing training is completed that is commensurate with the tasks that the Certified Oregon Pharmacy Technician or Pharmacy Technician will perform, prior to the performance of those tasks and with each update to the written policies and procedures;
- (I) Review and adhere to written policies and procedures. The review must:
- (A) Occur prior to assisting in the practice of pharmacy;
- (B) Occur with each update; and
- (C) Be documented and records retained according to OAR 855-104-0055; and $\,$
- (m) Dispense and deliver prescriptions accurately and to the correct party.

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OAR 855-125-0105 RESPONSIBILITIES: GENERAL - COPT / PT

- (4) A Certified Oregon Pharmacy Technician or Pharmacy Technician may perform final verification of the \underline{drug} and \underline{dosage} , $\underline{device\ or\ product}$ when:
- (a) The Pharmacist utilizes reasonable professional judgment to determine that a Certified Oregon Pharmacy Technician or Pharmacy Technician may perform final verification;
- (b) No discretion is needed;
- (c) The Pharmacist delegating final verification is supervising the Certified Oregon Pharmacy Technician or Pharmacy Technician; and
- (d) The Certified Oregon Pharmacy Technician or Pharmacy Technician is performing a physical final verification.

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OAR 855-125-0110 RESPONSIBILITIES: CONFIDENTIALITY – COPT / PT OAR 855-125-0115 RESPONSIBILITIES: DUTY TO REPORT – COPT / PT

- 855-125-0110 Responsibilities: Confidentiality COPT / PT
- Each Certified Oregon Pharmacy Technician and Pharmacy Technician must comply with OAR 855-104-0015 regarding confidentiality
- 855-125-0115 Responsibilities: Duty to Report COPT / PT

Each Certified Oregon Pharmacy Technician and Pharmacy Technician must comply with OAR 855-104-0010 regarding duty to report.

OAR 855-125-0135 RESPONSIBILITIES: PERMITTED PRACTICES - COPT / PT

Certified Oregon Pharmacy Technicians or Pharmacy Technicians:

- (1) Must only assist in the practice of pharmacy as authorized by the rules of the board and as permitted by the Pharmacist providing supervision, direction, and control.
- (2) Must ensure that work is verified by a Pharmacist if judgment is utilized when assisting in the practice of pharmacy.
- (3) May perform final verification as permitted under OAR 855-125-0105(4).

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OAR 855-125-0150 PROHIBITED PRACTICES - COPT / PT

Each Certified Oregon Pharmacy Technician and Pharmacy Technician must not:

- (1) Engage in the practice of pharmacy as defined in ORS 689, except as permitted in OAR 855-125-0105(4), including but not limited to the following tasks:
- (a) Evaluate and interpret a prescription;
- (b) Conduct a Drug Utilization Review or Drug Regimen Review;
- (c) Consult with any prescriber, other healthcare professional or authorized agent regarding a patient and any medical information pertaining to the patient's prescription that requires judgment;

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OAR 855-125-0150 PROHIBITED PRACTICES - COPT / PT

Each Certified Oregon Pharmacy Technician and Pharmacy Technician must

- (1) Engage in the practice of pharmacy as defined in ORS 689, except as permitted in OAR 855-125-0105(4), including but not limited to the following tasks:
- (d) Counsel a patient or the patient's agent regarding a prescription;
- (e) Advise on the rapeutic values, content, hazards and use of drugs and devices; $% \begin{center} \begin{cen$
- (f) Interpret the clinical data in a patient record system or patient chart;
- (g) Conduct Medication Therapy Management;
- (h) Practice pursuant to a Clinical Pharmacy Agreement or Collaborative Drug Therapy Management;
- (i) Practice pursuant to Statewide Drug Therapy Management Protocols;

OAR 855-125-0150 PROHIBITED PRACTICES -

Each Certified Oregon Pharmacy Technician and Pharmacy Technician

- (1) Engage in the practice of pharmacy as defined in ORS 689, except as permitted in OAR 855-125-0105(4), including but not limited to the following tasks:
- (j) Prescribe a vaccine, drug or device;
- (k) Administer a drug or device;
- (I) Order, interpret or monitor a laboratory test;
- (m) Delegate tasks to healthcare providers; and
- (n) Deny the patient or the patient's agent request to speak to the Pharmacist.

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OAR 855-125-0150 PROHIBITED PRACTICES -COPT / PT

- (2) Assist in the practice of pharmacy unless permitted by the Pharmacist who is supervising, directing, and controlling the Certified Oregon Pharmacy Technician or Pharmacy Technician.
- (3) Perform any task while assisting in the practice of pharmacy that requires judgment unless it is verified by a Pharmacist.
- (4) Engage in any form of discrimination, harassment, intimidation, or assault in the workplace.
- (5) Refuse a request from a patient, patient's agent, or practitioner to interact with a Pharmacist.

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OAR 855-125-0305 SERVICES: VACCINE ADMINISTRATION - COPT / PT

- (I) A Certified Oregon Pharmacy Technician or Pharmacy Technician may perform the physical act of administering vaccines under the supervision of an appropriately trained and qualified Pharmacist:
- (a) To a person who is seven years of age or older;
- (b) To a person who is at least three years of age when;
- (A) The Governor declares a state of public health emergency and authorizes the reduced age limitation; or
- (B) The Public Health Director, during a declared disease outbreak, authorizes a reduction in the age limit.

OAR 855-125-0305 SERVICES: VACCINE ADMINISTRATION – COPT / PT

- (2) A Certified Oregon Pharmacy Technician or Pharmacy Technician must:
- (a) Prior to administration of a vaccine, receive practical training that includes infection control, recognition of anatomical landmarks and competency in hands-on administration technique.
- (b) Prior to administration of a vaccine, hold active CPR certification issued by the American Heart Association or the American Red Cross or any other equivalent program that is specific to the age and population receiving the vaccine, contains a hands-on training component, and is valid for not more than three years.

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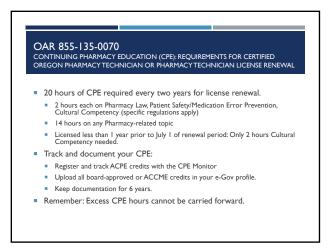
OAR 855-125-0305 SERVICES: VACCINE ADMINISTRATION – COPT / PT

- (3) Document the vaccine administration including but not limited to the vaccine administered, dose, expiration date, lot number, and injection site.
- (4) Notify the supervising Pharmacist immediately in the event of a suspected adverse reaction to a vaccine.

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OAR 855-125-0305 SERVICES: VACCINE ADMINISTRATION – COPT / PT

- (5) The training required in (2) may include programs approved by the ACPE, curriculum-based programs from an ACPE-accredited college or school of pharmacy or state or local health department programs, training by an appropriately qualified practitioner, or programs approved by the board.
- (6) The records and forms required by this section must be filed in the pharmacy, made available to the board for inspection upon request, and must be retained for three years.









- Email <u>pharmacy.compliance@bop.oregon.gov</u> or call 971-673-0001
- <u>Legal Advice vs. Legal Information</u>
 - Agency staff can provide information about the Board's statutes and rules.
 - Agency staff may be able to provide other information, such as a Newsletter article where the topic has been addressed.
 - Agency staff can point you to the Board's laws and rules but cannot provide you with legal advice as to how the law or rule applies to a specific situation.
 - Agency staff cannot tell you what the Board will or will not do in any specific situation there is a process by which the Board makes those decisions.
- Resources
 - Oregon Administrative Rules <u>Chapter 855</u>

 - Oregon Revised Statues Chapter 475
 Public Records Request Please note that there may be fees associated with the production of records, see standard fee schedule.

CPE INFORMATION / CONTACT US

- For board-approved CPE credit, complete the quiz/program evaluation at https://www.oregon.gov/pharmacy/Pages/Continuing-Education-.aspx
 - Enter program code to access the quiz/program evaluation
 - Program is board-approved, not ACPE approved and will not show up in CPE Monitor
 - Allow 6-8 weeks for receipt of course completion certificate
- Contact us directly
- Phone: 971-673-0001
- Fax: 971-673-0002
- General Inquiries pharmacy.board@bop.oregon.gov
- Compliance Inquiries pharmacy.compliance@bop.oregon.gov
- Licensing Inquiries pharmacy.licensing@bop.oregon.gov



QR Code to Quiz/ Program Evaluation