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**TEMPORARY ADMINISTRATIVE ORDER**  
INCLUDING STATEMENT OF NEED & JUSTIFICATION

**BP 11-2022**

CHAPTER 855

BOARD OF PHARMACY

**FILED**

02/16/2022 8:44 AM  
ARCHIVES DIVISION  
SECRETARY OF STATE  
& LEGISLATIVE COUNSEL

FILING CAPTION: Amends Pharmacy Technician and Certified Oregon Pharmacy Technician Licensure Rules

EFFECTIVE DATE: 02/16/2022 THROUGH 08/14/2022

AGENCY APPROVED DATE: 02/11/2022

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NEED FOR THE RULE(S):

Clarifies licensure qualifications, elements of a complete application and renewal/reinstatement requirements for Pharmacy Technicians (PT) and Certified Oregon Pharmacy Technicians (COPT); Revises PT license fees; Allows PT to renew or reinstate their license; Adds CE requirements for PT.

JUSTIFICATION OF TEMPORARY FILING:

During the COVID-19 pandemic, pharmacies are experiencing a shortage of licensed personnel to assist in the practice of pharmacy. In addition, the current PT and COPT rules present unintended barriers to licensure by requiring those who have never held a national certification to obtain it to remain licensed. A shortage of licensed personnel reduces timely access to prescription medication. Inability to access prescription medications and records in a timely manner is a danger to public health and safety. Adopting this Temporary rule now will allow current PT licensees to plan ahead and determine if they want to apply for a COPT license.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Pharmacy Technician Certification Board- CPhT certification renewal <https://www.ptcb.org/credentials/certified-pharmacy-technician#renew>

National Healthcareer Association- [https://www.nhanow.com/pharmacy-technician-\(cph\)-renewal](https://www.nhanow.com/pharmacy-technician-(cph)-renewal)

RULES:

855-021-0009, 855-025-0005, 855-025-0010, 855-025-0011, 855-025-0012, 855-025-0015, 855-110-0003, 855-110-0005

AMEND: 855-021-0009

RULE SUMMARY: The proposed amendments add Continuing Pharmacy Education Requirements for PTs who choose to renew their license.

CHANGES TO RULE:

855-021-0009

Continuing Pharmacy Education Required for Pharmacy Technician or Certified Oregon Pharmacy Technician License Renewal

(1) During the period from July 1 through June 30 of each biennial license renewal cycle, a Pharmacy Technician or Certified Oregon Pharmacy Technician must have satisfactorily completed 20 contact hours of continuing pharmacy education. These hours must include: ¶

(a) Two hours of continuing pharmacy education in pharmacy law; ¶

(b) Two hours of continuing pharmacy education in patient safety or medication error prevention; ¶

(c) Two hours of continuing pharmacy education in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency ~~CPE~~effective July 1, 2023; and ¶

(d) Fourteen additional hours of continuing pharmacy education or documented onsite training approved by the board. ¶

(2) Section (1)(a)(b) and (d) does not apply to a Pharmacy Technician or Certified Oregon Pharmacy Technician applying for the first renewal of their license if they have not been licensed by the board for at least one year prior to July 1 of the renewal period. ¶

~~(3) A Section (1)(c) is required.~~ ¶

(3) A Pharmacy Technician or Certified Oregon Pharmacy Technician must retain documentation of completed continuing pharmacy education for six years and must provide this documentation if requested by the board. ¶

(4) Continuing pharmacy education credit accumulated in excess of the required 20 contact hours for biennial license renewal cannot be carried forward. ¶

(5) If a license renewal is submitted after June 30th of the license renewal cycle, continuing pharmacy education must be completed prior to submission of the license renewal. ¶

(6) Section (1)(a)(b) and (d) do not apply to a Pharmacy Technician applying for the first renewal of their license prior to July 1, 2022. Section (1)(c) is required.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.285, ORS 689.486, ORS 413.450, ORS 676.850

AMEND: 855-025-0005

RULE SUMMARY: The proposed amendments clarify licensure requirements for PTs and COPTs.

CHANGES TO RULE:

855-025-0005

Licensure: Qualifications for Licensure as a Pharmacy Technician or Certified Oregon Pharmacy Technician ¶

(1) To qualify for licensure as a Pharmacy Technician or Certified Oregon Pharmacy Technician, an applicant must demonstrate that the applicant is at least 18 years of age and has ~~obtained a~~completed high school diploma or GED.¶

~~(2) Section one does not apply to persons under the age of 18 licensed by the Board as a Pharmacy Technician prior to January 1, 2015.¶~~

~~(3) An applicant for licensure as a P(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 or Certified Oregon Pharmacy Technician must complete an application for licensure, provide the Board with a valid e-mail address and furnish documentation required to conduct a criminal background checkcation examination offered by:¶

(a) Pharmacy Technician Certification Board (PTCB); or¶

(b) National Healthcareer Association (NHA).¶

~~(43) No person whose license has been denied, revoked, suspended or restricted by any healthcare professional regulatory Bboard may be licensed as a Pharmacy Technician or Certified Oregon Pharmacy Technician unless the Bboard determines that licensure will pose no danger to patients or to the public interest.~~

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.225, ORS 689.486

AMEND: 855-025-0010

RULE SUMMARY: The proposed rule amendments clarify the elements of a complete application for a PT license.

CHANGES TO RULE:

855-025-0010

Licensure as a: Application- Pharmacy Technician ¶

~~(1) The~~An application for license ofure as a Pharmacy Technician expires the second June 30 from the date of issue and is not to exceed two years, except that due to the COVID-19 declared public health emergency, Pharmacy Technician (PT) licenses set to expire June 30, 2020, will instead expire on 12/31/2020.¶

~~(2) The Pharmacy Technician license is not renewable.~~¶

~~(3) A time limited extension of a Pharm~~may be accessed on the board website.¶

(2) Failure to completely, accurately and honestly answer all questions on the application for licensure or renewal of licensure is grounds for discipline.¶

(3) Failure to disclose any arrest for a felony or misdemeanor, or any indictment for a felony may result in denial of the application.¶

(4) The board macy Technician license may be granted once by petition to the Board. The written completed petition must be received by the Board prior to the expiration of the PT license:issue a license to a qualified applicant after the receipt of:¶

(a) A completed application;¶

(b) Payment of the fee prescribed in OAR 855-110;¶

(c) A current, passport regulation size photograph (full front, head to shoulders);¶

(d) Personal identification or proof of identity; and¶

(4e) An individual may reapply for a Pharmacy Technician license if the previous PT license is lapsed for a period greater than five years completed national fingerprint-based background check.¶

(5) The license of a Pharmacy Technician expires June 30 in even numbered years and may be renewed biennially.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.225, ORS 689.486

ADOPT: 855-025-0011

RULE SUMMARY: The proposed amendments clarifies licensure requirements for PTs and COPTs.

CHANGES TO RULE:

855-025-0011

Licensure: Renewal or Reinstatement- Pharmacy Technician

(1) An applicant for renewal of a Pharmacy Technician license must:

(a) Pay the biennial license fee required in OAR 855-110.

(b) Complete the continuing pharmacy education requirements as directed in OAR 855-021;

(c) Be subject to an annual criminal background check.

(2) A Pharmacy Technician who fails to renew their license by the expiration date and whose license has been lapsed for one year or less may apply to renew their license and must pay a late fee required in OAR 855-110.

(3) A Pharmacy Technician or who fails to renew their license by the expiration date and whose license has been lapsed for greater than one year may apply to reinstate their license as follows:

(a) Must apply per OAR 855-025-0010; and

(b) Provide certification of completion of 10 continuing education hours earned in the prior 12 months. These hours may not be counted toward a future renewal; and must include:

(A) One hour of continuing pharmacy education in pharmacy law;

(B) One hour of continuing pharmacy education in patient safety or error prevention; and

(C) One hour of continuing pharmacy education in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency CPE; and

(D) Seven other hours of pharmacy technician-specific continuing education.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.225, ORS 689.486, ORS 413.450

AMEND: 855-025-0012

RULE SUMMARY: The proposed amendments clarify the elements of a complete application for a COPT license.

CHANGES TO RULE:

855-025-0012

Licensure as a: Application- Certified Oregon Pharmacy Technician ¶

~~(1) To qualify~~ An application for licensure as a Certified Oregon Pharmacy Technician, the applicant must dem ~~may~~ be accessed on the board website. ¶

~~(2) Failure to completely, accurately and honest~~ rate that he or she has taken and passed a national pharmacy answer all questions on the application for licensure or renewal of licensure is grounds for discipline. ¶

~~(3) Failure to disclose any arrest for a felony or misdemeanor, or any indictment for a felony may result in denial of the application.~~ ¶

~~(4) The board may technician certification examination offered by:~~ issue a license to a qualified applicant after the receipt of: ¶

~~(a) A completed application;~~ ¶

~~(b) Payment of the fee prescribed in OAR 855-110;~~ ¶

~~(ac) The Pharmacy Technician Certification Board (PTCB); or~~ A current, passport regulation size photograph (full front, head to shoulders); ¶

~~(d) Personal identification or proof of identity;~~ ¶

~~(be) The National Healthcareer Association~~ (A completed national fingerprint-based background check; and ¶

~~(f) Proof that the applicant has taken and passed a national pharmacy technician certification offered by the PTCB or the NHA).~~ ¶

~~(25)~~ The license of a Certified Oregon Pharmacy Technician expires June 30 in even numbered years and must ~~ay~~ be renewed biennially.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.225, ORS 689.486

AMEND: 855-025-0015

RULE SUMMARY: The proposed amendments clarify the requirements for renewal or reinstatement of a COPT license.

CHANGES TO RULE:

855-025-0015

~~Renewal of Licensure as a~~Licensure: Renewal or Reinstatement- Certified Oregon Pharmacy Technician ¶¶

(1) A person who has taken and passed a national pharmacy technician certification examination listed in OAR 855-025-0012(1)(a)-(b) may use the following title, and is referred to in these rules as, and is licensed as a "Certified Oregon Pharmacy Technician." ¶¶

(2) An applicant for renewal of a Certified Oregon Pharmacy Technician license must: ¶¶

(a) Pay the biennial license fee required in OAR 855-110.; ¶¶

(b) ~~Completion of the~~ continuing pharmacy education requirements as directed in OAR 855-021; and ¶¶

(c) Be subject to an annual criminal background check. ¶¶

(3) Continued national certification is not required to renew a license as a Certified Oregon Pharmacy Technician. ¶¶

(4) A Certified Oregon Pharmacy Technician who fails to renew ~~his or her~~their license by the expiration date and whose license has been lapsed for ~~less than one yeone year or less~~ may renew their license and must pay a late fee required in OAR 855-110. ¶¶

(5) ~~A Certified Oregon Phar-macy renew his or her license as follows:~~ ¶¶

~~(a) Complete the renewal process;~~ ¶¶

~~(b) Pay the biennial license fee as prescribed in OAR 855-110;~~ ¶¶

~~(c) Pay a late fee~~Technician who fails to renew their license by the expiration date and whose license has been lapsed for greater than one year may apply to reinstate their license as follows: ¶¶

(a) Must apply per OAR 855-025-0010; and ¶¶

(b) Provide certification of completion of 10 continuing education hours earned in the prior 12 months. These hours may not be counted toward a future renewal; and must include: ¶¶

(A) One hour of continuing pharmacy education in pharmacy law; ¶¶

(B) One hour of continuing pharmacy education in patient safety or error prevention; and ¶¶

~~(dC) Complete the required~~One hour of continuing pharmacy education pursuant to OAR 855-021 in cultural competency either approved by the Oregon Health Authority under ORS 413.450 or any cultural competency CPE; and ¶¶

(D) Seven other hours of pharmacy technician-specific continuing education.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.225, ORS 689.486, ORS 413.450

AMEND: 855-110-0003

RULE SUMMARY: The proposed amendments clarify that the fee for applications received within 180 days of expiration will be reduced to one-half a biennial rate. Adds Pharmacy Technicians to list of licensees that can receive this rate adjustment.

CHANGES TO RULE:

855-110-0003

General ¶¶

(1) All fees paid under these rules are non-refundable.¶¶

(2) Fees cannot be prorated.¶¶

(3) Fees for initial licensure as a Pharmacist, Pharmacy Technician or Certified Oregon Pharmacy Technician ~~may~~will be reduced to one-half of a biennial rate, if the application is received within 180 days of expiration.¶¶

(4) A late fee must be paid ~~w/~~¶¶

(a) When a renewal application is received after the date specified in these rules; or¶¶

(b) When the board requests additional information from an applicant and this information is not provided within 30 days.¶¶

(5) A delinquent fee may be assessed when an application is submitted incomplete and the board requests the missing information.

Statutory/Other Authority: ORS 689.205

Statutes/Other Implemented: ORS 689.135



AMEND: 855-110-0005

RULE SUMMARY: The proposed rule amendments adds fees for PT license renewal including the workforce data collection fee.

CHANGES TO RULE:

855-110-0005

Licensing Fees ¶¶

- (1) Pharmacist license examination (NAPLEX) fee - \$50.¶¶
  - (2) Pharmacist jurisprudence (MPJE) re-examination fee - \$25.¶¶
  - (3) Pharmacist licensing by reciprocity fee - \$100. ¶¶
  - (4) Pharmacist licensing by score transfer fee - \$50. ¶¶
  - (5) Intern license fee. Expires November 30 every two years - \$100.¶¶
  - (6) Pharmacist:¶¶
    - (a) Biennial license fee. Expires June 30 each odd numbered year. The biennial license fee is - \$250. Late renewal fee (received after June 30) - \$50.¶¶
    - (b) Electronic Prescription Monitoring Fund fee. Due by June 30 biennially - \$70. (This is a mandatory fee, required by ORS 431A.880 that must be paid with the pharmacist license renewal fee).¶¶
    - (c) Workforce Data Collection fee. Due by June 30 biennially - \$4. (This is a mandatory fee as required by OAR 409-026-0130 that must be paid with the Pharmacist license renewal fee.)¶¶
  - (7) Certification of approved provider of continuing education course fee, none at this time.¶¶
  - (8) Pharmacy Technician license fee—~~\$100.~~¶¶
    - (a) Biennial license fee. Except for Pharmacy Technician licenses that expire on June 30, 2023, all other Pharmacy Technician licenses expire on June 30 each even numbered year - \$100. Late renewal fee (received after June 30) - \$20. All Pharmacy Technicians licenses that expire June 30, 2023 will next expire on June 30, 2024 - \$50. ¶¶
    - (b) Workforce Data Collection fee. Due by June 30 biennially - \$4. (This is a mandatory fee as required by OAR 409-026-0130 that must be paid with the Pharmacy Technician license renewal fee.)¶¶
  - (9) Certified Oregon Pharmacy Technician:¶¶
    - (a) Biennial license fee. Expires June 30 each even numbered year - \$100. Late renewal fee (received after June 30) - \$20.¶¶
    - (b) Workforce Data Collection fee. Due by June 30 biennially - \$4. (This is a mandatory fee as required by OAR 409-026-0130 that must be paid with the Certified Oregon Pharmacy Technician license renewal fee.)
- Statutory/Other Authority: ORS 689.205, ORS 291.055, ORS 183.705  
Statutes/Other Implemented: ORS 689.135, ORS 676.410, ORS 431A.880