

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control \_\_\_\_\_ Department or Agency: Alabama State Board of Pharmacy  
Rule No. 680-X-2-.37

Rule Title: Continuing Education for Pharmacy Technicians

\_\_\_\_\_ New \_\_\_\_\_ X \_\_\_\_\_ Amendment \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

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Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer Conna C. Gresham  
Date 11/15/18

(STAMP)

Alabama State Board of Pharmacy

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Alabama Board of Pharmacy

**RULE NO. & TITLE:**

680-X-2-.37 **Continuing Education for Pharmacy Technicians**

**INTENDED ACTION:**

Amend Rule

**SUBSTANCE OF PROPOSED ACTION:**

Relieve undue burden and improve compliance

**TIME, PLACE, MANNER OF PRESENTING VIEWS:**

Oppositions can be submitted to the Alabama State Board of Pharmacy, 111 Village Street, Birmingham Alabama 35242. Office business hours are 8:00am - 4:00pm Monday through Friday. Please present your views in writing, fax or email. Public hearing will be January 16, 2019 at 9:00am

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**

Comments concerning this change must be received by the Alabama State Board of Pharmacy no later than January 10, 2019

**CONTACT PERSON AT AGENCY:**

Wendy Passmore, Operations Manager  
111 Village Street, Birmingham, Al 35242  
Phone 205-981-4764 Fax 205-803-6481  
Email - [wpassmore@albop.com](mailto:wpassmore@albop.com)

  
\_\_\_\_\_  
Donna C. Yeatman, R.Ph. Executive Secretary

680-X-2-.37 Continuing Education for Pharmacy Technicians

(1) Pharmacy Technicians shall complete three (3) hours of continuing education every year as a condition of registration renewal. By submitting the biennial renewal, a pharmacy technician is representing their compliance with this requirement by the end of the relevant calendar year.

(2) In order to receive credit for continuing education, the continuing education shall be previously approved by the Board. Any requests for approval of continuing education shall be submitted to the Board no less than thirty (30) calendar days prior to offering of the continuing education. A condition of approval shall be that the continuing education is pertinent to the practice of pharmacy. However, this requirement shall not apply to ACPE approved continuing education courses for which a program number is available.

(3) Continuing Education may be completed by either attendance or by distance-based program, video or by publications; however, a pharmacy technician must complete at least one (1) hour of live continuing education through attendance at a course(s).

(4) It is the responsibility of each pharmacy technician to maintain and compile accurate records relating to all continuing education courses or activities they have attended and completed. It shall be the responsibility of each pharmacy technician to maintain above described documentation and information pertaining to each year for a period of two (2) years and this information shall be submitted to the Board of Pharmacy within thirty (30) calendar days after a request for the same by the Board.

(5) The Board of Pharmacy shall randomly audit the continuing education documentation or information to be maintained or submitted by each pharmacy technician as described herein to assure compliance with these rules. Failure to maintain the documentation or information set forth in these rules or the submission of false or misleading information or documentation to the Board of Pharmacy or failure to submit requested documentation or information within the time specified by the Board may subject the pharmacy technician, ~~after hearing, to those penalties outlined in~~, **on the first violation to a non-disciplinary administrative penalty authorized by Code of Ala. 1975, §34-23-132 an amount not less than twenty five dollars (\$25.00) or more than one hundred dollars (\$100.00) as determined by the board.**

(6) Upon written request to the Board of Pharmacy, and upon the demonstration of good and sufficient cause, the Board of Pharmacy may grant a waiver or extension of time for the completion of the annual hour requirements for continuing education as set forth herein. The pharmacy technician who seeks such a waiver or extension shall submit to the Board of Pharmacy any documentation required by the Board which the Board deems appropriate for it to make a decision concerning that waiver or extension.

**Author:** ~~Herb Bebe~~, **David Darby** R.Ph., ~~Secretary~~ **President**

**Statutory Authority:** Code of Ala. 1975, §34-23-92.

**History:** New Rule: Filed July 6, 2006; effective