

BOARD OF PHARMACY (PRX)

General information (PRX)

Duties

The State of Ohio Board of Pharmacy is the single State agency in Ohio responsible for administering and enforcing laws governing the practice of pharmacy and the legal distribution of drugs.

Since the State Board of Pharmacy is responsible for administering and enforcing the drug laws of Ohio, the Board licenses:

- Pharmacists, (O.R.C. Chapter 4729.)
- Pharmacy Interns, (O.R.C. Chapter 4729.)
- Terminal and Wholesale Distributors of Dangerous Drugs (both in-state and out-of-state), (O.R.C. Chapter 4729 and 3719)
- Home Medical Equipment Services Providers, (O.R.C. Chapter 4752.)
- Medical Marijuana Dispensaries (including employees), (O.R.C. Chapter 3796.)

The Board is also responsible for regulating the legal distribution of dangerous drugs in Ohio and ensuring the quality of all drugs administered, prescribed, dispensed by prescription, or sold over-the-counter. (O.R.C. Chapter 3715). The State Board of Pharmacy can discipline its licensees and registrants for violations of both federal and state laws governing the legal distribution of drugs. The Board has the responsibility of investigating and presenting evidence of violations of any of the federal or state drug laws by any person to the appropriate court (federal, state, or municipal) for prosecution of the offender (O.R.C. Chapter 2925).

Membership *(Current members, chairperson and other officers, and selection process.)*

The Board consists of nine members who are appointed by the Governor for terms of four years. Eight of the members are licensed pharmacists who represent, to the extent practicable, each phase of pharmacy practice. One member represents the public.

Budget *(Current budget, description of budgeting process, sources of funding, and expected increases or decreases in budget or funding in future years.)*

The Board's budget in FY20 was \$17.3M and in FY21 is \$17.1M. Generally, the Board anticipates slight growth in the coming years due to normal increases in costs from year to year.

Workload *(Assess current, past, and anticipated workload. Has the workload increased or decreased significantly in the preceding six years?)*

In the past six years, the Board has added new license types: medical marijuana (patients and caregivers, dispensaries, and dispensary employees), home medical equipment service providers, and registration of pharmacy technicians (trainees, registered and certified). The Board's budget in FY20 was \$17.3M and in FY21 is \$17.1M. Generally, the Board anticipates slight growth in the coming years due to normal increases in costs from year to year.

Ohio's drug overdose epidemic continues to be a driving factor for the overall increase in the number of investigations of drug diversion by the Board. The total number of case investigations increased from 1,290 in 2015 to 1,700 in 2019, an overall increase of 32 percent. Additionally, the number of investigations in 2020 (1,511 as of 8/31/20) are currently on track to exceed 2019.

Since 2015, the number of licenses issued by the Board has increased substantially. In 2015, the Board reported 41,885 active licenses. By 2020, that number has increased approximately 88 percent to 78,816 active licenses. This significant increase in licensure over the past few years has also resulted in an overall demand on staff to process, issue, investigate, hold administrative hearings, and conduct inspections.

Staffing *(How many staff are currently employed by the board? What are their roles? Are staffing levels proportionate to the board's current and anticipated workload?)*

The Board of Pharmacy has an authorized ceiling of 96 full-time permanent staff. Over half of these are dedicated to compliance and enforcement efforts. The remainder serve in legal, licensing, OARRS, public and legislative affairs, IT, and administrative support.

The Board is currently operating at an appropriate staff level. Board staff has increased from 57 in FY 15 to a ceiling of 96 in FY21.

Administrative hearings and public complaints *(Describe the Board's processes for administering discipline and addressing complaints. Assess the efficiency of the processes.)*

The Board receives numerous complaints involving its licensees. These complaints are triaged weekly and reviewed by two supervisors during the Board's Intake Review Process. If a complaint alleges impairment, theft, or an immediate threat to public, it is immediately assigned to the Board's investigative field staff.

During the intake review process, it is determined whether the Board of Pharmacy has the scope and authority to investigate. Possible outcomes of the Intake Review Process include:

- Assigned for further investigation (for matters alleging an administrative violation of ORC/OAC 3715, 3796, 3719, 4729, or 4752 or a criminal violation of ORC 2925);
- Referred to the appropriate agency to investigate; or
- Closed following administrative review.

Complainants are notified at the conclusion of the Intake Review Process as to the course of action.

Investigative staff are required (as part of internal processes) to contact the complainant within 3 business days. The Board's investigative staff will then collect evidence, conduct interviews, and document findings as it pertains to the investigation. A single complaint could result in both an administrative and criminal investigation depending on the nature of the allegations.

At the conclusion of the investigation, field staff will submit findings to a supervisor for review. Upon approval of the investigative reports, the investigation may be referred for criminal or administrative action or both.

Administrative hearings and public complaints *(Describe the Board's processes for administering discipline and addressing complaints. Assess the efficiency of the processes.)*

Criminal cases investigated by Board staff are submitted to the local county prosecutor or the U.S. Attorney. Ultimately, the prosecutor determines if the investigation is to be presented to a grand jury.

Board investigators will still stay involved in the investigation if the activities alleged would violate its administrative rules. In many instances, the Board defers to the preferences of the criminal investigators prior to proceeding with administrative action, unless there is an immediate threat to public safety and a license must be summarily suspended.

The Board posts all administrative actions online and ensures they are publicly available on [eLicense](#), both the notice of hearing and subsequent Board Order related to discipline.

Pharmacist license

Survey responses (PRX)

Description

A pharmacist scope of practice is defined in 4729.01 and includes:

- (1) Interpreting prescriptions;
- (2) Dispensing drugs and drug therapy related devices;
- (3) Compounding drugs;
- (4) Counseling individuals with regard to their drug therapy, recommending drug therapy related devices, and assisting in the selection of drugs and appliances for treatment of common diseases and injuries and providing instruction in the proper use of the drugs and appliances;
- (5) Performing drug regimen reviews with individuals by discussing all of the drugs that the individual is taking and explaining the interactions of the drugs;
- (6) Performing drug utilization reviews with licensed health professionals authorized to prescribe drugs when the pharmacist determines that an individual with a prescription has a drug regimen that warrants additional discussion with the prescriber;
- (7) Advising an individual and the health care professionals treating an individual with regard to the individual's drug therapy;
- (8) Acting pursuant to a consult agreement with one or more physicians authorized under Chapter 4731. of the Revised Code to practice medicine and surgery or osteopathic medicine and surgery, if an agreement has been established;
- (9) Engaging in the administration of immunizations to the extent authorized by section 4729.41 of the Revised Code;
- (10) Engaging in the administration of drugs to the extent authorized by section 4729.45 of the Revised Code.

Type (See R.C. 4798.01 for relevant definitions.)

Occupational License.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	2019 - 1,034
Number renewed annually	2019 – 19,603* *2019 renewal marked the beginning of biennial renewal cycle for pharmacists. Pharmacists who renewed in 2019 will not renew again until 2021.
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	No. There has not been a significant increase or decrease in active registrations. Since FY 2015, the Board has added on average about 1,000 new pharmacists each year.
Education or training requirements	The education requirements for pharmacists is outlined in OAC 4729:1-2-03. It includes either of the following: (a) A certificate of education completed and certified by an approved school of pharmacy documenting the successful graduation of the applicant with a doctor of pharmacy degree obtained after December 31, 2006; or (b) The required hours of supervised practical experience pursuant to rule 4729:2-2-05 of the Administrative Code, and either:

If the regulation is a registration, certification, or license requirement, please complete the following:	
	<p>(i) A certificate of education completed and certified by an approved school of pharmacy documenting the successful graduation of the applicant; or</p> <p>(ii) Certification of having established educational equivalency by obtaining a “Foreign Pharmacy Graduate Examination Commission” (FPGEC) certificate and evidence of successful completion of the “Test of English as a Foreign Language, Internet-based test (TOEFL iBT)” pursuant to rule 4729:1-2-04 of the Administrative Code.</p>
Experience requirements	<p>The experience requirements are outlined in 4729:2-2-05. http://codes.ohio.gov/oac/4729:2-2-05</p> <p>(A) The pharmacy internship credit requirement for the licensure examinations shall be deemed satisfactorily completed when the intern has either:</p> <p>(1) Successfully graduated after December 31, 2006 with a doctor of pharmacy degree (“Pharm.D.”) from a school of pharmacy approved by the “Accreditation Council for Pharmacy Education” (A.C.P.E.) and the state board of pharmacy; or</p> <p>(2) Obtained a total of at least one thousand seven hundred and forty hours of documented supervised practical experience accepted by the state board of pharmacy which may include any hours:</p> <p>(a) Documented on a practical experience affidavit pursuant to rule 4729:2-2-06 of the Administrative Code; or</p> <p>(b) Worked in another state where the appropriate licensing agency submits to the board an official verification of the actual practical experience contact hours completed that meets the requirements in paragraph (A)(2) of this rule.</p>
Examination requirements <i>(Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?)</i>	<p>All pharmacists must complete a national examination to practice anywhere in the country (referred to as the NAPLEX) and the state specific Multistate Pharmacy Jurisprudence (MPJE) Exam. Both are administered by the National Association of Boards of Pharmacy.</p> <p>Fees to take the NAPLEX includes a \$100 application fee and exam fee of \$475. Fees to take the MPJE includes a \$100 application fee and exam fee of \$150.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Continuing education requirements <i>(Including a description of the curriculum and the process of setting it.)</i></p>	<p>Pharmacists are required to obtain a minimum of 4.0 CEUS (40 hours) every license renewal (two-year period).</p> <p>This includes:</p> <ul style="list-style-type: none"> - Minimum 2 hours medication errors/patient safety (ACPE -05) - Minimum 2 hours jurisprudence or law (ACPE -03) or Ohio Board of Pharmacy Approved Jurisprudence <p>CE can only be obtained by ACPE courses and CE from approved in-state providers. Approved in state providers can only provide law CE. The Board offers CE opportunities as well. The CE requirements are outlined in this rule: http://codes.ohio.gov/oac/4729:1-5-02</p>
<p>Initial fee</p>	<p>The fees are outlined in ORC 4729.15. The fee for an initial license is \$110.00 plus \$3.50 eLicense system transaction fee.</p> <p>Traditionally, the initial license fee has been less than the renewal fee because of the costs associated with taking the NAPLEX and MPJE.</p>
<p>Duration</p>	<p>Pharmacist licenses are renewed on a biennial cycle. The requirements are outlined in 4729:1-2-07 and below:</p> <p>(1) Except as provided in paragraph (B)(2) of this rule, a pharmacist license issued by the state board of pharmacy in accordance with Chapter 4729. of the Revised Code entitles the individual to whom it is issued to practice as a pharmacist until the next renewal date.</p> <p>(2) An initial pharmacist license issued by the state board of pharmacy on or after the first of May of every odd-numbered year in accordance with Chapter 4729. of the Revised Code entitles the individual to whom it is issued to practice as a pharmacist until the renewal date immediately following the next required renewal date.</p> <p>(3) A pharmacist license shall be renewed on the fifteenth day of September of every odd-numbered year.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
Renewal fee <i>(If different from initial fee, please explain why.)</i>	<p>Fees are outlined in ORC 4729.15. Renewal fee is \$250.00 (for a two-year license) plus \$3.50 eLicense system transaction fee.</p> <p>Traditionally, the initial license fee has been less than the renewal fee because of the costs associated with taking the NAPLEX.</p>
Does the Board recognize uniform licensure requirements or allow for reciprocity?	<p>Yes. The Board allows for reciprocity. Candidates must apply with the Board of Pharmacy and with the National Association of Boards of Pharmacy (NABP). NABP operates a national system whereby the State Boards of Pharmacy verify out-of-state license in good standing and notifies states through their clearing house regarding any disciplinary action taken against a licensee in another state through the NABP Clearinghouse.</p> <p>All pharmacist must complete the national examination to practice anywhere in the country (NAPLEX). There is not an additional examination required prior to applying for licensure from another state. Ohio candidates are required to appear before the Board for a reciprocity law review prior to receiving their license from the Board. Reciprocity occurs monthly.</p>
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	No
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	<p>Yes, the Board has authority to exercise discretion in determining whether to license an individual.</p> <p>All pharmacist applicants are required to complete a BCI and FBI background check before the Board will license a pharmacist.</p> <p>http://codes.ohio.gov/oac/4729:1-4-01</p>

If the regulation is a registration, certification, or license requirement, please complete the following:

Other information (*Significant attributes or prerequisites to licensure not addressed in this chart.*)

N/A

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

Administrative actions taken against a licensee can range from permanent revocation to imposition of fines or, for pharmacists and interns, additional continuing education requirements. Suspensions and probations are also utilized, particularly in cases of substance abuse where rehabilitation is deemed possible.

<http://codes.ohio.gov/oac/4729:1-4-01>

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

Revenue from Pharmacist licensing, including pharmacy interns and reciprocal licensing of out-of-state pharmacists, totaled \$7.7M for fiscal years 2019 and 2020. Revenue is used to support the general operations of the Board of Pharmacy, including licensing, compliance and enforcement, and OARRS.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

The regulation of the practice of pharmacy has traditionally been done at the state level by legislatively created state boards of pharmacy.
Yes. Federal laws and regulations (both DEA and FDA) have provisions that require licensure of a pharmacist.

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The licensing of pharmacists is essential to protecting the public health of Ohioans. Pharmacists have access to dangerous drugs, can perform direct healthcare services (vaccines, other drug administration, etc.) personal health information, and counsel patients on health outcomes.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes. The Board works with pharmacists to ensure that the security and control of dangerous drugs is maintained. Additionally, licensure ensures that pharmacists maintain standards when providing patients direct healthcare services.

Are there any changes the Board would like to see implemented?

N/A

Comparison to other states *(How many other states regulate the occupation? How do Ohio’s regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

All fifty states and District of Columbia and Puerto Rico license pharmacists. Pharmacy education is standardized across the country, the Board believes that Ohio is comparable with other states.

Surrounding state comparison (LSC)

Pharmacist License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4729.12</i>)	Yes (<i>Ind. Code Ann. 25-26-13-29</i>)	Yes (<i>Ky. Rev. Stat. Ann. 315.030</i>)	Yes (<i>Mich. Comp. Laws 333.17711</i>)	Yes (<i>63 Pa. Cons. Stat. 390-8</i>)	Yes (<i>W. Va. Code Ann. 30-5-2</i>)
Education or training	Obtain a degree from an approved pharmacy	Graduate from an accredited school of pharmacy (<i>Ind.</i>)	Graduate from an approved school of pharmacy (<i>Ky.</i>)	Obtain a degree from an accredited school of pharmacy	Hold a Bachelor of Science or advanced degree in pharmacy from	Graduate from a recognized school of pharmacy (<i>W.</i>)

Pharmacist License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	program (R.C. 4729.08)	Code Ann. 25-26-13-11)	Rev. Stat. Ann. 315.050)	(Mich. Admin. Code R. 338.474)	an accredited school of pharmacy (63 Pa. Cons. Stat. 390-3)	Va. Code Ann. 30-5-5)
Experience	Complete a pharmacy internship (R.C. 4729.08)	Complete an approved pharmacy intern program (Ind. Code Ann. 25-26-13-11)	Complete an approved pharmacy internship (Ky. Rev. Stat. Ann. 315.050)	Complete a pharmacy internship program (Mich. Admin. Code R. 338.474)	Complete an approved internship program (63 Pa. Cons. Stat. 390-3)	Complete a 1,500-hour pharmacy internship (W. Va. Code Ann. 30-5-5)
Exam	Yes (R.C. 4729.07 and 4729.08)	Yes (Ind. Code Ann. 25-26-13-11)	Yes (Ky. Rev. Stat. Ann. 315.050)	Yes (Mich. Admin. Code R. 338.474)	Yes (63 Pa. Cons. Stat. 390-3)	Yes (W. Va. Code Ann. 30-5-5)
Continuing education	40 hours every two years (O.A.C. 4729:1-5-02)	30 hours every two years (856 Ind. Admin. Code 1-26-1)	15 hours every year (201 Ky. Admin. Regs. 2:015)	30 hours every two years (Mich. Admin. Code R. 338.3041)	30 hours every two years (49 Pa. Code 27.32)	30 hours every two years (W. Va. Code R. 15-3-4)
Initial licensure fee	\$110 for license by examination \$337.50 for license by reciprocity (R.C. 4729.15(A)(1) to (3); State of Ohio Board of Pharmacy, Fees)	\$100 (856 Ind. Admin. Code 1-27-1)	\$150 (201 Ky. Admin. Regs. 2:050)	\$102.60 (Licensing and Regulatory Affairs, Bureau of Professional Licensing, Michigan Pharmacist Licensing Guide)	\$45 (49 Pa. Code 27.91)	\$125 (W. Va. Code R. 15-16-2)

Pharmacist License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License duration	Two years (<i>R.C. 4729.12</i>)	Two years (<i>Ind. Code Ann. 25-26-13-14</i>)	One year (<i>Ky. Rev. Stat. Ann. 315.110</i>)	Two years (<i>Mich. Admin. Code R. 338.3041</i>)	Two years (<i>49 Pa. Code 27.31</i>)	Two years (<i>W. Va. Code R. 15-16-5</i>)
Renewal fee	\$250 (<i>R.C. 4729.15(A)(4)</i>)	\$160 (<i>856 Ind. Admin. Code 1-27-1</i>)	\$70 (<i>201 Ky. Admin. Regs. 2:050</i>)	\$75.60 (<i>Licensing and Regulatory Affairs, Bureau of Professional Licensing, Michigan Pharmacist Licensing Guide</i>)	\$190 (<i>49 Pa. Code 27.91</i>)	\$100 (<i>W. Va. Code R. 15-16-5</i>)

Pharmacy intern license

Survey responses (PRX)

Description
<p>A license as a pharmacy intern shall only be issued for the purpose of allowing those individuals who intend to become licensed pharmacists the opportunity to obtain the practical experience required for examination and licensure as a pharmacist.</p> <p>Per OAC 4729:2-3-01, a pharmacy intern may engage in the following:</p> <p>In addition to assisting a pharmacist with technical functions, a pharmacy intern may perform the following professional functions under the direct supervision of a pharmacist:</p> <p>(A) The sale of schedule V controlled substances pursuant to agency 4729 of the Administrative Code.</p> <p>(B) The receipt of oral prescriptions pursuant to rule 4729:5-5-10 of the Administrative Code and other applicable provisions of agency 4729 of the Administrative Code.</p>

Description

(C) The transfer and receipt of a non-controlled prescription copy pursuant to rule 4729:5-5-11 of the Administrative Code and other applicable provisions of agency 4729 of the Administrative Code.

(D) The act of patient counseling pursuant to rule 4729:5-5-09 of the Administrative Code and other applicable provisions of agency 4729 of the Administrative Code.

(E) The administration of immunizations pursuant to section 4729.41 of the Revised Code and agency 4729 of the Administrative Code.

(F) The documentation of informed consent to administer an immunization pursuant to section 4729.41 of the Revised Code.

(G) The dispensing of naloxone pursuant to section 4729.44 of the Revised Code and other dangerous drugs as authorized under Chapter 4729. of the Revised Code.

(H) Non-sterile compounding.

(I) Sterile compounding.

(J) Sending or receiving electronic prescriptions between pharmacies accessing the same prescription records in a centralized database or pharmacy computers linked in any other manner.

(K) Contacting a prescriber or prescriber's agent to obtain clarification for a prescription order if the clarification does not require the exercise of professional judgment.

(L) Performing diagnostic laboratory testing pursuant to agency 4729 of the Administrative Code.

(M) Requesting refill authorizations for dangerous drugs from a prescriber or the prescriber's agent.

(N) Notwithstanding the definition of direct supervision, a pharmacy intern may stock an automated drug dispensing unit and floor stock at a location licensed as a terminal distributor of dangerous drugs if a pharmacist is not physically present at the licensed location and all of the following apply:

(1) A pharmacist is readily available to answer questions of the intern;

(2) A pharmacist is responsible for conducting routine verifications of the activities of the intern to prevent the diversion of dangerous drugs;

(3) A pharmacist is fully responsible for all activities conducted by the intern at the licensed location.

Type (See R.C. 4798.01 for relevant definitions.)

Occupational license.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually

2019 - 912

Number renewed annually

2019 – 2,343*

*2019 renewal marked the beginning of biennial renewal cycle for pharmacy interns. Pharmacy Interns who renewed in 2019 will not renew again until 2021.

Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?

No, there have been a consistent number of pharmacy interns working in the state.

Education or training requirements

The requirements are spelled out in OAC 4729:2-2-01.

(B) If a person is actively working towards the requirements for licensure as a pharmacist and desires to work as a pharmacy intern in Ohio, the person shall:

(1) Comply with at least one of the following:

(a) Have successfully completed at least sixty semester or ninety quarter hours of college, be enrolled in a school of pharmacy, and has begun taking professional classes directly related to the practice of pharmacy;

If the regulation is a registration, certification, or license requirement, please complete the following:	
	<p>(b) Have obtained a first professional degree in pharmacy from a program which has been recognized and approved by the state board of pharmacy; or</p> <p>(c) Have established educational equivalency by obtaining a “Foreign Pharmacy Graduate Examination Commission (FPGEC)” certificate, and have established proficiency in spoken English by successfully completing the “Test of English as a Foreign Language, Internet-based test” (TOEFL iBT) pursuant to rule 4729:2-2-06 of the Administrative Code.</p>
Experience requirements	None
Examination requirements <i>(Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?)</i>	N/A
Continuing education requirements <i>(Including a description of the curriculum and the process of setting it.)</i>	N/A
Initial fee	\$45.00 plus \$3.50 eLicense system transaction fee. This is outlined in 4729.15.
Duration	Biennial License
Renewal fee <i>(If different from initial fee, please explain why.)</i>	\$45.00 plus \$3.50 eLicense system transaction fee. This is outlined in 4729.15.
Does the Board recognize uniform licensure requirements or allow for reciprocity?	No, there is not intern reciprocity. Pharmacy intern licensure is tied to enrollment in a pharmacy school. However, nothing prohibits an intern from applying for licensure if they are enrolled in pharmacy school.

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?</p>	<p>No</p>
<p>Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes, per OAC 4729:2-2-02, the state board of pharmacy may deny the issuance of a license to practice as a pharmacy intern.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>N/A</p>

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

Administrative actions taken against a licensee can range from permanent revocation to imposition of fines or, for pharmacists and interns, additional continuing education requirements. Suspensions and probations are also utilized, particularly in cases of substance abuse where rehabilitation is deemed possible.

<http://codes.ohio.gov/oac/4729:2-4>

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

Revenue from Pharmacist licensing, including pharmacy interns and reciprocal licensing of out-of-state pharmacists, totaled \$7.7M for fiscal years 2019 and 2020. Revenue is used to support the general operations of the Board of Pharmacy, including licensing, compliance and enforcement, and OARRS.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

The regulation of the practice of pharmacy has traditionally been done at the state level by legislatively created state boards of pharmacy. In some instances, federal laws and regulations require licensure of pharmacy interns. For example, recent [federal guidance](#) authorizing the administration of COVID-19 vaccines extends to pharmacy interns that are licensed or registered by their respective state board of pharmacy.

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The licensing of the pharmacy practice is essential to protecting the public health of Ohioans. Pharmacists and other pharmacy staff have access to dangerous drugs, personal health information, and counsel patients on health outcomes. Additionally, pharmacy interns can provide direct healthcare services (ex. vaccinations).

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

The licensing of pharmacy interns is essential to protecting the public health of Ohioans. Pharmacists and other pharmacy staff have access to dangerous drugs, personal health information, and counsel patients on health outcomes. Additionally, licensure ensures that interns maintain standards when providing patients direct healthcare services such as vaccines.

Are there any changes the Board would like to see implemented?

N/A

Comparison to other states *(How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

According to the National Association of Boards of Pharmacy, every state except for two (Tennessee, Wisconsin) require the licensure or registration of pharmacy interns.

Surrounding state comparison (LSC)

Pharmacy Intern License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4729.11</i>)	Yes, registration (<i>Ind. Code Ann. 25-26-13-10.5; see also 25-26-13-10</i>)	Yes, registration (<i>201 Ky. Admin. Regs. 2:040</i>)	Yes, a limited license is required for interns (<i>Mich. Comp. Laws 333.17737</i>)	Yes (<i>63 Pa. Cons. Stat. 390-8</i>)	Yes (<i>W. Va. Code Ann. 30-5-13; W. Va. Code R. 15-1-4</i>)
Education or training	Enrolled in a school of pharmacy and actively working towards pharmacist licensure (<i>R.C. 4729.11; O.A.C. 4729:2-2-01</i>)	Enrolled in a school of pharmacy accredited by the American Council of Pharmaceutical Education (ACPE) (<i>Ind. Code Ann. 25-26-13-10</i>)	Enrolled in an approved college or school of pharmacy (<i>201 Ky. Admin. Regs. 2:040</i>)	Enrolled in an accredited college or school of pharmacy (<i>Mich. Admin. Code R. 338.473a</i>)	Completed at least two years of college and is enrolled or accepted as a student in an ACPE-accredited pharmacy degree program (<i>63 Pa. Cons. Stat. 390-3; 49 Pa. Code 27.26</i>)	Enrolled in or a graduate of an approved school of pharmacy (<i>W. Va. Code Ann. 30-5-13</i>)
Experience	No	No	No	No	No	No
Exam	No	No	No	No	No	No
Continuing education	No	No	No	No	No	No

Pharmacy Intern License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Initial licensure fee	\$45 (R.C. 4729.15(A)(8))	\$10 (856 Ind. Admin. Code 1-27-1)	\$25 (201 Ky. Admin. Regs. 2:050)	\$43.20 (Licensing and Regulatory Affairs, Bureau of Professional Licensing, Michigan Pharmacist Intern Licensing Guide)	\$35 (49 Pa. Code 27.91)	\$10 (W. Va. Code R. 15-16-5)
License duration	One year (O.A.C. 4729:2-2-04)	One year (Ind. Code Ann. 25-26-13-10)	Six years (Ky. Rev. Stat. Ann. 315.050)	One year (Mich. Admin. Code R. 338.473a)	Six years (63 Pa. Cons. Stat. 390-3)	One year (W. Va. Code R. 15-16-5)
Renewal fee	\$45 (R.C. 4729.15(A)(9))	\$10 (856 Ind. Admin. Code 1-27-1)	Does not appear to be renewable	\$16.20 (Licensing and Regulatory Affairs, Bureau of Professional Licensing, Michigan Pharmacist Intern Licensing Guide)	Does not appear renewable	\$5 (W. Va. Code R. 15-16-5)

Registered pharmacy technician

Survey responses (PRX)

Description

Per Ohio Revised Code 4729.91, a registered pharmacy technician may, under the direct supervision of a pharmacist, engage in the following activities at a location licensed as a terminal distributor of dangerous drugs to the extent that the activities do not require the exercise of professional judgment:

- (1) Accepting new written or electronic prescription orders from a prescriber or a prescriber's agent;
- (2) Entering information into and retrieving information from a database or patient profile;
- (3) Preparing and affixing labels;
- (4) Stocking dangerous drugs and retrieving those drugs from inventory;
- (5) Counting and pouring dangerous drugs into containers;
- (6) Placing dangerous drugs into patient storage containers;
- (7) Non-sterile drug compounding as authorized by the state board of pharmacy in rules adopted under section 4729.94 of the Revised Code;
- (8) Other activities specified by the board in rules adopted under section 4729.94 of the Revised Code.

Type *(See R.C. 4798.01 for relevant definitions.)*

Occupational license.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	2019 – 2,000
Number renewed annually	First renewal began January 30, 2020 and is currently underway and has been delayed/extended to December 1, 2020 pursuant to HB 197. As of 8/13/2020, 5,154 (54%) registrations had been renewed.
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Registration requirements became effective in April of 2018.
Education or training requirements	Registered pharmacy technicians are required to complete a training program as required in OAC 4729:3-2-02. Registered technicians are required to complete a high school diploma, a certificate of high school equivalence, a foreign school diploma that is equivalent to a U.S. high school diploma or has been employed continuously since prior to April 8, 2009, as a pharmacy technician without a high school diploma or certificate of high school equivalence.
Experience requirements	Registered pharmacy technicians are required to complete a training program as required in OAC 4729:3-2-02. http://codes.ohio.gov/oac/4729:3-3-02
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	N/A
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	Registered pharmacy technicians are required to complete ten contact hours of continuing pharmacy education prior to renewing their registration.

If the regulation is a registration, certification, or license requirement, please complete the following:	
	<p>The continuing education hours include:</p> <p>(1) Two contact hours (0.2 C.E.U.s) of continuing pharmacy education shall be in the subject of pharmacy jurisprudence (law).</p> <p>(2) Two contact hours (0.2 C.E.U.s) of continuing pharmacy education shall be in the subject of patient or medication safety.</p> <p>A registered pharmacy technician may satisfy up to one-third of the technician's continuing education requirements by providing health care services as a volunteer in accordance with section 4745.04 of the Revised Code. The location where health care services are provided shall be an approved in-state provider of volunteer healthcare services in accordance with agency 4729 of the Administrative Code.</p>
Initial fee	Per Ohio Revised Code, \$50.00 plus \$3.50 eLicense system transaction fee.
Duration	<p>Biennial registration.</p> <p>http://codes.ohio.gov/oac/4729:3-2-01</p> <p>(E) An initial registration for a registered pharmacy technician and certified pharmacy technician is valid until the renewal date set forth in rule 4729:3-2-03 of the Administrative Code.</p>
Renewal fee (If different from initial fee, please explain why.)	Per Ohio Revised Code, \$50.00 plus \$3.50 eLicense system transaction fee.
Does the Board recognize uniform licensure requirements or allow for reciprocity?	No
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	The Board recognizes national certifications as part of the licensure process. By law, the Board is required to recognize national certifications for certified technicians. Those include PTCB and ExCPT. However, this national standard requires a high school diploma and some other standards which may preclude individuals who have been working as pharmacy technicians to work in Ohio for the last 10-20 years. Additionally, this standard is required for more advanced

If the regulation is a registration, certification, or license requirement, please complete the following:	
	tasks of a technician. Therefore, this registration type ensures that there are options available for pharmacy technicians who do not seek this advanced status.
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	Rule 4729:3-1-01 permits “support personnel” to carry out certain functions without the requirement to register as a pharmacy technician. These generally allow cashiers and other personnel to work within the pharmacy without requiring registration with the Board.
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, the Board is permitted to exercise discretion in determining whether to register a pharmacy technician. This is outlined in OAC 4729:3-2-01. This includes: (1) Comply with all requirements set forth in section 4729.90 of the Revised Code. (3) Comply with the criminal records check requirements pursuant to rule 4729:3-2-02 of the Administrative Code. http://codes.ohio.gov/oac/4729:3-4-01
Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)	N/A
Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.	
Administrative actions taken against a licensee can range from permanent revocation to imposition of fines. Suspensions and probations are also utilized, particularly in cases of substance abuse where rehabilitation is deemed possible. http://codes.ohio.gov/oac/4729:3-4-01	

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

Revenue from Pharmacy Technician licensing, including registered, certified, and trainees, totaled \$834,000 for fiscal years 2019 and 2020. Revenue is used to support the general operations of the Board of Pharmacy, including licensing, compliance and enforcement, and OARRS.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

The regulation of the practice of pharmacy has traditionally been done at the state level by legislatively created state boards of pharmacy. There are no federal regulations that require regulation of pharmacy technicians.

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Through the registration of pharmacy technicians there is a reduced opportunity for diversion by establishing a registration system that prohibits a technician who engaged in drug theft from easily obtaining employment at another location. Prior to the establishment of pharmacy technician registration, pharmacy technicians accounted for more than one-third of all drug theft cases investigated by the Board of Pharmacy, and the lack of a registration process makes it too easy for a technician who is fired for theft to find new employment with another pharmacy.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes. Since the adoption of technician registration, the Board has taken administrative action against technicians primarily for engaging in the theft of drugs. For example, in FY 2019, the Board summarily suspended 33 technician registrations for violations that met the standard of “immediate and serious harm to others” in ORC 3719.121.

Are there any changes the Board would like to see implemented?

N/A

Comparison to other states *(How many other states regulate the occupation? How do Ohio’s regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Forty-five states require some form of licensure or registration of pharmacy technicians. Ohio appears in between because it offers several levels of technician registration to account for differences in skill level and practice level.

Surrounding state comparison (LSC)

Registered Pharmacy Technician						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4729.95 and 4729.99</i>)	License required to practice as a pharmacy technician; no distinction between registered or certified technicians (<i>Ind. Code Ann. 25-26-19-9</i>)	Registration required to practice as a pharmacy technician; certified pharmacy technicians and pharmacy technicians are recognized (<i>Ky. Rev. Stat. Ann. 315.030 and 315.135; 201 Ky. Admin. Regs. 2:045</i>)	License required to practice as a pharmacy technician; no distinction between registered or certified technicians (<i>Mich. Comp. Laws 333.17711 and 333.17739</i>)	No	Registration required to practice as a pharmacy technician; no distinction between registered or certified technicians (<i>W. Va. Code Ann. 30-5-11</i>)
Education or training	Complete one of the following: 1. A program accredited by the American Society of Health-system Pharmacists/ Accreditation Council for	Completed an approved program of education and training or pass a certification examination offered by an approved, nationally recognized	Unclear for pharmacy technicians; for certified pharmacy technicians, completion of a training program is one option (<i>201 Ky. Admin. Regs. 2:045</i>)	Complete a pharmacy technician training program approved by the Pharmacy Technician Certification Board, the National Healthcareer	N/A	Three options: 1. Graduate from an approved competency-based pharmacy technician education and

Registered Pharmacy Technician						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	Pharmacy Education; 2. A program conducted by a branch of the U.S. Armed Forces, the Indian Health Service, or the U.S. Department of Veterans Affairs; 3. An employer-based training program; or 4. An approved program offered by an Ohio public high school as part of a career-technical education program	certification body <i>(Ind. Code Ann. 25-26-19-5)</i>		Association or other nationally recognized certifying organization approved by the Board or an employer-based training program <i>(Mich. Comp. Laws 333.17739a)</i>		training program; 2. Complete an approved pharmacy-provided, competency-based education and training program; or 3. Obtain national certification and have practiced in another jurisdiction <i>(W. Va. Code Ann. 30-5-11)</i>

Registered Pharmacy Technician						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	<i>(R.C. 4729.90; O.A.C. 4729:3-2-01 and 4729:3-3-02)</i>					
Experience	No	No	No	No	N/A	No
Exam	No	Exam may be taken in lieu of graduation from a competency-based pharmacy technician education and training program or completion of an employer provided training program (<i>Ind. Code Ann. 25-26-19-5</i>)	For certified pharmacy technicians, exam is one option for obtaining registration (<i>201 Ky. Admin. Regs. 2:045</i>)	Yes, may be nationally recognized or employer-based (<i>Mich. Comp. Laws 333.17739a</i>)	N/A	Yes (<i>W. Va. Code Ann. 30-5-11</i>)
Continuing education	Ten hours every two years (<i>O.A.C. 4729:3-5-02</i>)	No	No	20 hours every two years or passage of a proficiency examination (<i>Mich. Comp. Laws 333.17731</i>)	N/A	No, but proof of national certification is required for renewal (<i>West Virginia Board of Pharmacy, Renewal</i>)

Registered Pharmacy Technician						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Initial licensure fee	\$50 (<i>R.C. 4729.901</i>)	\$25 (<i>856 Ind. Admin. Code 1-27-1</i>)	\$25 (<i>Ky. Rev. Stat. Ann. 315.136</i>)	\$91.80 (<i>Licensing and Regulatory Affairs, Bureau of Professional Licensing, Michigan Pharmacy Technician Licensing Guide</i>)	N/A	\$25 (<i>W. Va. Code R. 15-16-5</i>)
License duration	Two years (<i>O.A.C. 4729:3-2-03</i>)	Two years (<i>Ind. Code Ann. 25-26-19-7</i>)	One year (<i>Ky. Rev. Stat. Ann. 315.138</i>)	Two years (<i>Mich. Comp. Laws 333.17731</i>)	N/A	Two years (<i>W. Va. Code R. 15-16-5</i>)
Renewal fee	\$50 (<i>O.A.C. 4729:3-2-03</i>)	\$25 (<i>856 Ind. Admin. Code 1-27-1</i>)	\$25 (<i>Ky. Rev. Stat. Ann. 315.138</i>)	\$64.80 (<i>Licensing and Regulatory Affairs, Bureau of Professional Licensing, Michigan Pharmacy Technician Licensing Guide</i>)	N/A	\$20 (<i>W. Va. Code R. 15-16-5</i>)

Certified pharmacy technician

Survey responses (PRX)

Description

Per Ohio Revised Code 4729.91, a certified pharmacy technician may, under the direct supervision of a pharmacist, engage in the following activities at a location licensed as a terminal distributor of dangerous drugs to the extent that the activities do not require the exercise of professional judgment:

- (1) Any activity listed in division (A) of this section;
- (2) Accepting or requesting refill authorizations for dangerous drugs that are not controlled substances from a prescriber or the prescriber's agent, so long as there is no change from the original prescription;
- (3) Sterile and non-sterile drug compounding as authorized by the board in rules adopted under section 4729.94 of the Revised Code;
- (4) Other activities specified by the board in rules adopted under section 4729.94 of the Revised Code.

Type *(See R.C. 4798.01 for relevant definitions.)*

Occupational license.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually

2019 – 1,280

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number renewed annually	First renewal began August 1, 2020 and is currently underway and has been delayed/extended to December 1, 2020 pursuant to HB 197. As of 8/13/2020, 995 (8%) registrations had been renewed.
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Registration requirements became effective in April of 2018.
Education or training requirements	<p>The training and education requirements are outlined in 4729:3-2-01 http://codes.ohio.gov/oac/4729:3-2-01</p> <p>Training - (2) Complete an approved training program pursuant to rule 4729:3-3-02 of the Administrative Code or the education and training requirements set forth in division (E)(2) of section 4729.90 of the Revised Code.</p> <p>Education - (i) Has a high school diploma, a certificate of high school equivalence or a foreign school diploma that is equivalent to a U.S. high school diploma;</p> <p>Certification - (b) Documentation, as specified by the board, that the applicant has a current pharmacy technician certification from an organization that has been recognized by the board.</p>
Experience requirements	<p>The experience requirements are outlined in 4729:3-2-01. http://codes.ohio.gov/oac/4729:3-2-01</p>
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)	<p>To qualify as a certified pharmacy technician applicant, there are two types of examinations, Pharmacy Technician Certification Board (PTCB) or ExCPT.</p> <p>The cost associated with PTCB includes the completion of a PTCB- Recognized Education/Training Program or 500 hours of work experience and the successful passage of the PTCB exam. The exam costs \$129.</p> <p>ExCPT requires the completion of a pharmacy technician related training program or 1200 hours of work experience within the last three years prior to taking the exam. The exam costs \$117.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
	The Board does not receive any proceeds of those fees.
Continuing education requirements <i>(Including a description of the curriculum and the process of setting it.)</i>	As a condition for the renewal of a registration as a certified pharmacy technician, the technician shall complete all continuing education requirements necessary to maintain the registrant's pharmacy technician certification from an organization that has been recognized by the board. http://codes.ohio.gov/oac/4729%3A3-5-02
Initial fee	\$50.00 plus \$3.50 eLicense system transaction fee. The fees are outlined in statute. http://codes.ohio.gov/oac/4729:3-2-01
Duration	Biennial
Renewal fee <i>(If different from initial fee, please explain why.)</i>	\$50.00 plus \$3.50 eLicense system transaction fee. The fees are outlined in statute. http://codes.ohio.gov/oac/4729:3-2-03
Does the Board recognize uniform licensure requirements or allow for reciprocity?	No
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	The Board recognizes national certifications as part of the licensure process. By law, the Board is required to recognize national certifications for certified technicians. Those include PTCB and ExCPT.
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	Rule 4729:3-1-01 permits "support personnel" to carry out certain functions without the requirement to register as a pharmacy technician. These generally allow cashiers and other personnel to work within the pharmacy without requiring registration with the Board.

If the regulation is a registration, certification, or license requirement, please complete the following:

Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, the Board is permitted to exercise discretion in determining whether to register a certified pharmacy technician. This is outlined in OAC 4729:3-2-01. This includes: (1) Comply with all requirements set forth in section 4729.90 of the Revised Code. (2) Complete an approved training program. (3) Comply with the criminal records check requirements pursuant to rule 4729:3-2-02 of the Administrative Code. http://codes.ohio.gov/oac/4729:3-4-01
Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)	N/A

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

Administrative actions taken against a licensee can range from permanent revocation to imposition of fines. Suspensions and probations are also utilized, particularly in cases of substance abuse where rehabilitation is deemed possible.

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

Revenue from Pharmacy Technician licensing, including registered, certified, and trainees, totaled \$834,000 for fiscal years 2019 and 2020. Revenue is used to support the general operations of the Board of Pharmacy, including licensing, compliance and enforcement, and OARRS.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

The regulation of the practice of pharmacy has traditionally been done at the state level by legislatively created state boards of pharmacy. There are no federal regulations that require regulation of pharmacy technicians.

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Through the registration of pharmacy technicians there is a reduced opportunity for diversion by establishing a registration system that prohibits a technician who engaged in drug theft from easily obtaining employment at another location. Prior to the establishment of pharmacy technician registration, pharmacy technicians accounted for more than one-third of all drug theft cases investigated by the Board of Pharmacy, and the lack of a registration process makes it too easy for a technician who is fired for theft to find new employment with another pharmacy.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes. Since the adoption of technician registration, the Board has taken administrative action against technicians primarily for engaging in the theft of drugs. For example, in FY 2019, the Board summarily suspended 33 technician registrations for violations that met the standard of “immediate and serious harm to others” in ORC 3719.121.

Are there any changes the Board would like to see implemented?

N/A

Comparison to other states *(How many other states regulate the occupation? How do Ohio’s regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)*

Forty-five states require some form of licensure or registration of pharmacy technicians.

Surrounding state comparison (LSC)

Registration as a Certified Pharmacy Technician						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4729.95 and 4729.99</i>)	License required to practice as a pharmacy technician; no distinction between registered or certified technicians (<i>Ind. Code Ann. 25-26-19-9</i>)	Registration required to practice as a pharmacy technician; certified pharmacy technicians and pharmacy technicians are recognized (<i>Ky. Rev. Stat. Ann. 315.030 and 315.135; 201 Ky. Admin. Regs. 2:045</i>)	License required to practice as a pharmacy technician; no distinction between registered or certified technicians (<i>Mich. Comp. Laws 333.17711 and 333.17739</i>)	No	Registration required to practice as a pharmacy technician; no distinction between registered or certified technicians (<i>W. Va. Code Ann. 30-5-11</i>)
Education or training	Complete one of the following: 1. A program accredited by the American Society of Health-system Pharmacists/ Accreditation Council for	Completed an approved program of education and training or pass a certification examination offered by an approved, nationally recognized	Unclear for pharmacy technicians; for certified pharmacy technicians, completion of a training program is one option (<i>201 Ky. Admin. Regs. 2:045</i>)	Complete a pharmacy technician training program approved by the Pharmacy Technician Certification Board, the National Healthcareer	N/A	Three options: 1. Graduate from an approved competency-based pharmacy technician education and

Registration as a Certified Pharmacy Technician						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	Pharmacy Education; 2. A program conducted by a branch of the U.S. armed forces, the Indian Health Service, or the U.S. Department of Veterans Affairs; 3. An employer-based training program; or 4. An approved program offered by an Ohio public high school as part of a career-technical education program Submit documentation of	certification body <i>(Ind. Code Ann. 25-26-19-5)</i>		Association, or other nationally recognized certifying organization approved by the Board or an employer-based training program <i>(Mich. Comp. Laws 333.17739a)</i>		training program 2. Complete an approved pharmacy-provided, competency-based education and training program; or 3. Obtain national certification and have practiced in another jurisdiction <i>(W. Va. Code Ann. 30-5-11)</i>

Registration as a Certified Pharmacy Technician						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	current pharmacy technician certification from an organization recognized by the Board <i>(R.C. 4729.90; O.A.C. 4729:3-2-01 and 4729:3-3-02)</i>					
Experience	No	No	No	No	N/A	No
Exam	No, unless an exam is a component of one of the education and training requirements above	Exam may be taken in lieu of graduation from a competency-based pharmacy technician education and training program or completion of an employer-provided training program <i>(Ind. Code Ann. 25-26-19-5)</i>	For certified pharmacy technicians, exam is one option for obtaining registration <i>(201 Ky. Admin. Regs. 2:045)</i>	Yes, may be nationally recognized or employer-based <i>(Mich. Comp. Laws 333.17739a)</i>	N/A	Yes <i>(W. Va. Code Ann. 30-5-11)</i>
Continuing education	Ten hours every two years <i>(R.C.</i>	No	No	20 hours every two years or passage of a	N/A	No, but proof of national certification is

Registration as a Certified Pharmacy Technician						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	4729.94; O.A.C. 4729:3-5-02)			proficiency examination (Mich. Comp. Laws 333.17731)		required for renewal (West Virginia Board of Pharmacy, Renewal)
Initial licensure fee	\$50 (R.C. 4729.901)	\$25 (856 Ind. Admin. Code 1-27-1)	\$25 (Ky. Rev. Stat. Ann. 315.136)	\$91.80 (Licensing and Regulatory Affairs, Bureau of Professional Licensing, Michigan Pharmacy Technician Licensing Guide)	N/A	\$25 (W. Va. Code R. 15-16-5)
License duration	Two years (O.A.C. 4729:3-2-03)	Two years (Ind. Code Ann. 25-26-19-7)	One year (Ky. Rev. Stat. Ann. 315.138)	Two years (Mich. Comp. Laws 333.17731)	N/A	Two years (W. Va. Code R. 15-16-5)
Renewal fee	\$50 (O.A.C. 4729:3-2-03)	\$25 (856 Ind. Admin. Code 1-27-1)	\$25 (Ky. Rev. Stat. Ann. 315.138)	\$64.80 (Licensing and Regulatory Affairs, Bureau of Professional Licensing, Michigan Pharmacy Technician Licensing Guide)	N/A	\$20 (W. Va. Code R. 15-16-5)

Pharmacy technician trainee registration

Survey responses (PRX)

Description
<p>A pharmacy technician trainee may, under the direct supervision of a pharmacist, engage in the following activities at a location licensed as a terminal distributor of dangerous drugs to the extent that the activities do not require the exercise of professional judgment:</p> <ol style="list-style-type: none">(1) Accepting new written, faxed or electronic prescription orders from a prescriber or a prescriber’s agent but shall not include verbal orders;(2) Entering information into and retrieving information from a database or patient profile;(3) Preparing and affixing labels;(4) Stocking dangerous drugs and retrieving those drugs from inventory;(5) Counting and pouring dangerous drugs into containers;(6) Placing dangerous drugs into containers prior to dispensing by a pharmacist;(7) Non-sterile drug compounding following the completion of site-specific training pursuant to rule 4729:3-3-02 of the Administrative Code;(8) Sterile drug compounding following the completion of a site-specific training pursuant to rule 4729:3-3-02 of the Administrative Code;(9) Packaging and selling a dangerous drug to a patient or patient representative; and(10) Sending or receiving electronic prescriptions between pharmacies accessing the same prescription records in a centralized database or pharmacy computers linked in any other manner.
Type <i>(See R.C. 4798.01 for relevant definitions.)</i>
Occupational license.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	2019 – 4,956
Number renewed annually	<p>Technician trainee registration is not eligible for renewal. The registration is only valid for one year from the date of registration. The Board does allow technician trainees to request an extension.</p> <p>http://codes.ohio.gov/oac/4729:3-2-01</p> <p>(D) A registration for a pharmacy technician trainee is valid for one year from the date of registration. Registration is not renewable, but an individual may reapply for registration if the individual’s previous registration has lapsed for more than five years or the board grants its approval. An individual that is permitted to reapply for registration as a pharmacy technician trainee shall comply with the criminal records check requirements pursuant to rule 4729:3-2-02 of the Administrative Code, unless otherwise determined by the board.</p> <p>A registration for a pharmacy technician trainee is no longer valid if an individual receives a registration to practice as a registered pharmacy technician or certified pharmacy technician.</p>
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Registration requirements became effective in April of 2018.
Education or training requirements	<p>Has a high school diploma, a certificate of high school equivalence, a foreign school diploma that is equivalent to a U.S. high school diploma or has been employed continuously since prior to April 8, 2009, as a pharmacy technician without a high school diploma or certificate of high school equivalence.</p> <p>http://codes.ohio.gov/oac/4729:3-2-01</p>
Experience requirements	N/A

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Board receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>N/A</p>
<p>Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>N/A</p>
<p>Initial fee</p>	<p>\$25.00 plus \$3.50 eLicense system transaction fee http://codes.ohio.gov/oac/4729:3-2-01</p>
<p>Duration</p>	<p>1 year</p> <p>(D) A registration for a pharmacy technician trainee is valid for one year from the date of registration. Registration is not renewable, but an individual may reapply for registration if the individual's previous registration has lapsed for more than five years or the board grants its approval. An individual that is permitted to reapply for registration as a pharmacy technician trainee shall comply with the criminal records check requirements pursuant to rule 4729:3-2-02 of the Administrative Code, unless otherwise determined by the board.</p> <p>A registration for a pharmacy technician trainee is no longer valid if an individual receives a registration to practice as a registered pharmacy technician or certified pharmacy technician.</p> <p>http://codes.ohio.gov/oac/4729:3-2-01</p>
<p>Renewal fee (<i>If different from initial fee, please explain why.</i>)</p>	<p>N/A</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
Does the Board recognize uniform licensure requirements or allow for reciprocity?	No. However, there are minimal standards to become registered as a pharmacy technician trainee.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	The Board recognizes national certifications as part of the licensure process. By law, the Board is required to recognize national certifications for certified technicians. Those include PTCB and ExCPT. These are only intended to test knowledge and not to protect against drug diversion.
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the board?	Rule 4729:3-1-01 permits “support personnel” to carry out certain functions without the requirement to register as a pharmacy technician. These generally allow cashiers and other personnel to work within the pharmacy without requiring registration with the Board.
Is the Board permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes, the Board is permitted to exercise discretion in determining whether to register a pharmacy technician. This is outlined in OAC 4729:3-2-01. This includes: (1) Comply with all requirements set forth in section 4729.90 of the Revised Code. (3) Comply with the criminal records check requirements pursuant to rule 4729:3-2-02 of the Administrative Code. http://codes.ohio.gov/oac/4729:3-4-01
Other information (Significant attributes or prerequisites to licensure not addressed in this chart.)	N/A

Oversight and disciplinary authority of the Board respecting individuals engaged in the occupation.

Administrative actions taken against a licensee can range from permanent revocation to imposition of fines. Suspensions and probations are also utilized, particularly in cases of substance abuse where rehabilitation is deemed possible.

<http://codes.ohio.gov/oac/4729:3-4-01>

How much revenue is derived from fees charged by the Board to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

Revenue from Pharmacy Technician licensing, including registered, certified, and trainees, totaled \$834,000 for fiscal years 2019 and 2020. Revenue is used to support the general operations of the Board of Pharmacy, including licensing, compliance and enforcement, and OARRS.

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

The regulation of the practice of pharmacy has traditionally been done at the state level by legislatively created state boards of pharmacy. There are no federal regulations that require regulation of pharmacy technicians.

What is the “harm” that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

Through the registration of pharmacy technicians there is a reduced opportunity for diversion by establishing a registration system that prohibits a technician who engaged in drug theft from easily obtaining employment at another location. Prior to the establishment of pharmacy technician registration, pharmacy technicians accounted for more than one-third of all drug theft cases investigated by the Board of Pharmacy, and the lack of a registration process makes it too easy for a technician who is fired for theft to find new employment with another pharmacy.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes. Since the adoption of technician registration, the Board has taken administrative action against technicians primarily for engaging in the theft of drugs. For example, in FY 2019, the Board summarily suspended 33 technician registrations for violations that met the standard of “immediate and serious harm to others” in ORC 3719.121.

Are there any changes the Board would like to see implemented?

N/A

Comparison to other states (How many other states regulate the occupation? How do Ohio's regulations compare to those others states? Is Ohio more restrictive? Less restrictive? Or somewhere in between?)

Forty-five states require some form of licensure or registration of pharmacy technicians.

Surrounding state comparison (LSC)

Pharmacy Technician Trainee Registration						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4729.95 and 4729.99</i>)	Yes – technician in training permit (<i>Ind. Code Ann. 25-26-19-6</i>)	No	Yes – temporary pharmacy technician license, available to individuals preparing for the pharmacy technician examination (<i>Mich. Comp. Laws 333.17739b</i>)	No	Yes (<i>W. Va. Code Ann. 30-5-11a</i>)
Education or training	Enrolled in or plan to enroll in education and training as a pharmacy	Enrolled and in good standing in an approved pharmacy technician	N/A	Enrolled in an approved pharmacy technician program (<i>Mich.</i>	N/A	Enrolled in an approved competency-based pharmacy technician

Pharmacy Technician Trainee Registration

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
	technician (<i>R.C. 4729.92</i>)	training program (<i>Ind. Code Ann. 25-26-19-6</i>)		<i>Comp. Laws 333.17739a and 333.17739b</i>)		education and training program or an employee of a pharmacy in an on-the-job competency-based pharmacy technician training program (<i>W. Va. Code Ann. 30-5-11a</i>)
Experience	No	No	N/A	No	N/A	No
Exam	No	No	N/A	No	N/A	No
Continuing education	No	No	N/A	No	N/A	No
Initial licensure fee	\$25 (<i>R.C. 4729.921</i>)	\$25 (<i>856 Ind. Admin. Code 1-27-1; Indiana Professional Licensing Agency, Pharmacy Technician Requirements and Application</i>)	N/A	\$16.20 (<i>Licensing and Regulatory Affairs, Bureau of Professional Licensing, Michigan Pharmacy Technician Licensing Guide</i>)	N/A	\$25, but according to the West Virginia Board of Pharmacy, the fee is waived for the foreseeable future

Pharmacy Technician Trainee Registration						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License duration	One year (<i>R.C. 4729.921</i>)	No more than one year (<i>Ind. Code Ann. 25-26-19-6</i>)	N/A	One year (<i>Mich. Comp. Laws 333.17739b</i>)	N/A	15 months (<i>W. Va. Code R. 15-7-4</i>)
Renewal fee	Not renewable (<i>R.C. 4729.921</i>)	Not renewable	N/A	Not renewable	N/A	Not renewable, but a trainee may petition for an extension (<i>W. Va. Code R. 15-7-4</i>)

Home medical equipment provider license

Surrounding state comparison (LSC)

Home Medical Equipment Provider License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4752.02</i>)	Yes (<i>Ind. Code Ann. 25-26-21-11</i>)	Yes (<i>Ky. Rev. Stat. Ann. 309.412</i>)	No	No, but device distributors must register with the Pennsylvania Department of Health (<i>35 Pa. Cons. Stat. 780-106</i> ; email correspondence with Pennsylvania Department of	No

Home Medical Equipment Provider License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
					<i>Health, April 15, 2020, and April 16, 2020)</i>	
Education or training	Must maintain knowledge of the duties and responsibilities of a home medical equipment services provider (<i>O.A.C. 4729:11-3-01</i>)	No	No, but applicant must either: <ol style="list-style-type: none"> 1. Submit proof of accreditation or exemption by a national accreditation organization approved by the Centers for Medicare and Medicaid Services; or 2. Submit to an inspection by the Board to ensure the applicant's ability to comply with Kentucky law <i>(201 Ky. Admin. Regs. 47:010)</i>	N/A	No	N/A

Home Medical Equipment Provider License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Experience	No	No	No	N/A	No	N/A
Exam	No	No	No	N/A	No	N/A
Continuing education	Ten hours every two years (<i>R.C. 4752.07; O.A.C. 4729:11-3-04</i>)	No, but licensee must ensure employees receive annual training (<i>Ind. Code Ann. 25-26-21-6</i>)	No, but licensee must provide to employees at least six hours of annual training related to providing home medical equipment and services (<i>201 Ky. Admin. Regs. 47:010</i>)	N/A	No	N/A
Initial licensure fee	Not more than \$1,200 (<i>O.A.C. 4729:11-2-01</i>)	\$150 (<i>856 Ind. Admin. Code 1-39-7</i>)	\$350 (<i>201 Ky. Admin. Regs. 47:010</i>)	N/A	\$25 (<i>28 Pa. Code 25.115</i>)	N/A
License duration	Two years (<i>R.C. 4752.05</i>)	Two years (<i>Ind. Code Ann. 25-26-21-8</i>)	Two years (<i>Ky. Rev. Stat. Ann. 315.520</i>)	N/A	One year (<i>35 Pa. Cons. Stat. 780-106</i>)	N/A
Renewal fee	Not more than \$1,200 (<i>O.A.C. 4729:11-2-01</i>)	\$200 (<i>856 Ind. Admin. Code 1-39-7</i>)	\$350 (<i>201 Ky. Admin. Regs. 47:010</i>)	N/A	\$25 (<i>28 Pa. Code 25.115</i>)	N/A

Home medical equipment provider certificate of registration Surrounding state comparison (LSC)

Home Medical Equipment Provider Certificate of Registration						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License required?	Yes (<i>R.C. 4752.02</i>)	No	No separate certificate of registration, but accreditation is one basis for issuance of the home medical equipment provider license	No	No	No
Education or training	Accreditation required (<i>R.C. 4752.03; O.A.C. 4729:11-2-01</i>)	N/A	N/A	N/A	N/A	N/A
Experience	No	N/A	N/A	N/A	N/A	N/A
Exam	No	N/A	N/A	N/A	N/A	N/A
Continuing education	No	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	Not more than \$500 (<i>O.A.C. 4729:11-2-01</i>)	N/A	N/A	N/A	N/A	N/A

Home Medical Equipment Provider Certificate of Registration

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License duration	Two years (<i>R.C. 4752.12</i>)	N/A	N/A	N/A	N/A	N/A
Renewal fee	Not more than \$500 (<i>O.A.C. 4729:11-2-01</i>)	N/A	N/A	N/A	N/A	N/A