

**Chapter 18.64A RCW
PHARMACY ASSISTANTS**

Sections

- 18.64A.010 Definitions.
- 18.64A.020 Rules—Qualifications and training programs.
- 18.64A.025 Qualifications—Military training and experience.
- 18.64A.030 Rules—Duties of technicians, assistants.
- 18.64A.040 Limitations on practice.
- 18.64A.050 Disciplinary action against certificate or registration—
Grounds.
- 18.64A.055 Uniform disciplinary act.
- 18.64A.060 Pharmacy's application for ancillary personnel—Fee—
Approval or rejection by commission—Hearing—Appeal.
- 18.64A.070 Persons presently acting as technicians—Pharmacies
presently employing those persons.
- 18.64A.080 Pharmacy's or pharmacist's liability, responsibility.

*Health professions account—Fees credited—Requirements for biennial
budget request—Unappropriated funds: RCW 43.70.320.*

RCW 18.64A.010 Definitions. Terms used in this chapter shall have the meaning set forth in this section unless the context clearly indicates otherwise:

- (1) "Commission" means the pharmacy quality assurance commission;
- (2) "Department" means the department of health;
- (3) "Pharmacist" means a person duly licensed by the commission to engage in the practice of pharmacy;
- (4) "Pharmacy" means every place properly licensed by the commission where the practice of pharmacy is conducted;
- (5) "Pharmacy ancillary personnel" means pharmacy technicians and pharmacy assistants;
- (6) "Pharmacy technician" means:
 - (a) A person who is enrolled in, or who has satisfactorily completed, a commission-approved training program designed to prepare persons to perform nondiscretionary functions associated with the practice of pharmacy; or
 - (b) A person who is a graduate with a degree in pharmacy or medicine of a foreign school, university, or college recognized by the commission;
- (7) "Pharmacy assistant" means a person registered by the commission to perform limited functions in the pharmacy;
- (8) "Practice of pharmacy" means the definition given in RCW 18.64.011;
- (9) "Secretary" means the secretary of health or the secretary's designee. [2013 c 19 § 32; 1997 c 417 § 1; 1989 1st ex.s. c 9 § 422; 1977 ex.s. c 101 § 1.]

Effective date—Severability—1989 1st ex.s. c 9: See RCW 43.70.910 and 43.70.920.

RCW 18.64A.020 Rules—Qualifications and training programs.

- (1)(a) The commission shall adopt, in accordance with chapter 34.05

RCW, rules fixing the classification and qualifications and the educational and training requirements for persons who may be employed as pharmacy technicians or who may be enrolled in any pharmacy technician training program. Such rules shall provide that:

(i) Licensed pharmacists shall supervise the training of pharmacy technicians;

(ii) Training programs shall assure the competence of pharmacy technicians to aid and assist pharmacy operations. Training programs shall consist of instruction and/or practical training; and

(iii) Pharmacy technicians shall complete continuing education requirements established in rule by the commission.

(b) Such rules may include successful completion of examinations for applicants for pharmacy technician certificates. If such examination rules are adopted, the commission shall prepare or determine the nature of, and supervise the grading of the examinations. The commission may approve an examination prepared or administered by a private testing agency or association of licensing authorities.

(2) The commission may disapprove or revoke approval of any training program for failure to conform to commission rules. In the case of the disapproval or revocation of approval of a training program by the commission, a hearing shall be conducted in accordance with RCW 18.64.160, and appeal may be taken in accordance with the administrative procedure act, chapter 34.05 RCW. [2013 c 19 § 33; 2011 c 71 § 1; 1997 c 417 § 2; 1995 c 198 § 8; 1977 ex.s. c 101 § 2.]

RCW 18.64A.025 Qualifications—Military training and experience.

An applicant with military training or experience satisfies the training and experience requirements of this chapter unless the commission determines that the military training or experience is not substantially equivalent to the standards of this state. [2013 c 19 § 34; 2011 c 32 § 5.]

RCW 18.64A.030 Rules—Duties of technicians, assistants. The commission shall adopt, in accordance with chapter 34.05 RCW, rules governing the extent to which pharmacy ancillary personnel may perform services associated with the practice of pharmacy. These rules shall provide for the certification of pharmacy technicians and registration of pharmacy assistants by the department at a fee determined by the secretary under RCW 43.70.250:

(1) "Pharmacy technicians" may assist in performing, under the supervision and control of a licensed pharmacist, manipulative, nondiscretionary functions associated with the practice of pharmacy and other such duties and subject to such restrictions as the commission may by rule adopt.

(2) "Pharmacy assistants" may perform, under the supervision of a licensed pharmacist, duties including, but not limited to, typing of prescription labels, filing, refiling, bookkeeping, pricing, stocking, delivery, nonprofessional phone inquiries, and documentation of third-party reimbursements and other such duties and subject to such restrictions as the commission may by rule adopt. [2016 sp.s. c 4 § 1; 2013 c 19 § 35; 1997 c 417 § 3; 1996 c 191 § 50; 1989 1st ex.s. c 9 § 423; 1977 ex.s. c 101 § 3.]

Effective date—Severability—1989 1st ex.s. c 9: See RCW 43.70.910 and 43.70.920.

RCW 18.64A.040 Limitations on practice. (1) Pharmacy ancillary personnel shall practice pharmacy in this state only after authorization by the commission and only to the extent permitted by the commission in accordance with this chapter.

(2) A pharmacist shall be assisted by pharmacy ancillary personnel in the practice of pharmacy in this state only after authorization by the commission and only to the extent permitted by the commission in accordance with this chapter: PROVIDED, That no pharmacist may supervise more than one pharmacy technician: PROVIDED FURTHER, That in pharmacies operating in connection with facilities licensed pursuant to chapter 70.41, 71.12, 71A.20, or 74.42 RCW, whether or not situated within the said facility which shall be physically separated from any area of a pharmacy where dispensing of prescriptions to the general public occurs, the ratio of pharmacists to pharmacy technicians shall be as follows: In the preparation of medicine or other materials used by patients within the facility, one pharmacist supervising no more than three pharmacy technicians; in the preparation of medicine or other materials dispensed to persons not patients within the facility, one pharmacist supervising not more than one pharmacy technician.

(3) The commission may by rule modify the standard ratios set out in subsection (2) of this section governing the utilization of pharmacy technicians by pharmacies and pharmacists. Should a pharmacy desire to use more pharmacy technicians than the standard ratios, the pharmacy must submit to the commission a pharmacy services plan for approval.

(a) The pharmacy services plan shall include, at a minimum, the following information: Pharmacy design and equipment, information systems, workflow, and quality assurance procedures. In addition, the pharmacy services plan shall demonstrate how it facilitates the provision of pharmaceutical care by the pharmacy.

(b) Prior to approval of a pharmacy services plan, the commission may require additional information to ensure appropriate oversight of pharmacy ancillary personnel.

(c) The commission may give conditional approval for pilot or demonstration projects.

(d) Variance from the approved pharmacy services plan is grounds for disciplinary action under RCW 18.64A.050. [2013 c 19 § 36; 1997 c 417 § 4; 1992 c 40 § 1; 1977 ex.s. c 101 § 4.]

RCW 18.64A.050 Disciplinary action against certificate or registration—Grounds. In addition to the grounds under RCW 18.130.170 and 18.130.180, the commission may take disciplinary action against the certificate of any pharmacy technician or the registration of any pharmacy assistant upon proof that:

(1) His or her certificate or registration was procured through fraud, misrepresentation, or deceit;

(2) He or she has been found guilty of any offense in violation of the laws of this state relating to drugs, poisons, cosmetics, or drug sundries by any court of competent jurisdiction. Nothing herein shall be construed to affect or alter the provisions of RCW 9.96A.020;

(3) He or she has exhibited gross incompetency in the performance of his or her duties;

(4) He or she has willfully or repeatedly violated any of the rules and regulations of the commission or of the department;

(5) He or she has willfully or repeatedly performed duties beyond the scope of his or her certificate or registration in violation of the provisions of this chapter; or

(6) He or she has impersonated a licensed pharmacist. [2016 sp.s. c 4 § 2; 2013 c 19 § 37; 1997 c 417 § 5; 1993 c 367 § 15; 1989 1st ex.s. c 9 § 424; 1977 ex.s. c 101 § 5.]

Effective date—Severability—1989 1st ex.s. c 9: See RCW 43.70.910 and 43.70.920.

Violation of chapter 69.50 RCW, the Uniform Controlled Substances Act—Suspension of license: RCW 69.50.413.

RCW 18.64A.055 Uniform disciplinary act. The uniform disciplinary act, chapter 18.130 RCW, governs the issuance and denial of certificates and registrations and the discipline of certificants and registrants under this chapter. [2016 sp.s. c 4 § 3; 1993 c 367 § 16.]

RCW 18.64A.060 Pharmacy's application for ancillary personnel—Fee—Approval or rejection by commission—Hearing—Appeal. No pharmacy licensed in this state shall utilize the services of pharmacy ancillary personnel without approval of the commission.

Any pharmacy licensed in this state may apply to the commission for permission to use the services of pharmacy ancillary personnel. The application shall be accompanied by a fee and shall comply with administrative procedures and administrative requirements set pursuant to RCW 43.70.250 and 43.70.280, shall detail the manner and extent to which the pharmacy ancillary personnel would be used and supervised, and shall provide other information in such form as the secretary may require.

The commission may approve or reject such applications. In addition, the commission may modify the proposed utilization of pharmacy ancillary personnel and approve the application as modified. Whenever it appears to the commission that pharmacy ancillary personnel are being utilized in a manner inconsistent with the approval granted, the commission may withdraw such approval. In the event a hearing is requested upon the rejection of an application, or upon the withdrawal of approval, a hearing shall be conducted in accordance with chapter 18.64 RCW, as now or hereafter amended, and appeal may be taken in accordance with the administrative procedure act, chapter 34.05 RCW. [2013 c 19 § 38; 1997 c 417 § 6; 1996 c 191 § 51; 1989 1st ex.s. c 9 § 425; 1977 ex.s. c 101 § 6.]

Effective date—Severability—1989 1st ex.s. c 9: See RCW 43.70.910 and 43.70.920.

RCW 18.64A.070 Persons presently acting as technicians—Pharmacies presently employing those persons. (1) Persons presently

assisting a pharmacist by performing the functions of a pharmacy technician may continue to do so under the supervision of a licensed pharmacist: PROVIDED, That within eighteen months after May 28, 1977, such persons shall be in compliance with the provisions of this chapter.

(2) Pharmacies presently employing persons to perform the functions of a pharmacy technician may continue to do so while obtaining commission approval for the use of certified pharmacy technicians: PROVIDED, That within eighteen months after May 28, 1977, such pharmacies shall be in compliance with the provisions of this chapter. [2013 c 19 § 39; 1997 c 417 § 7; 1977 ex.s. c 101 § 7.]

RCW 18.64A.080 Pharmacy's or pharmacist's liability, responsibility. A pharmacy or pharmacist which utilizes the services of pharmacy ancillary personnel with approval by the commission, is not aiding and abetting an unlicensed person to practice pharmacy within the meaning of chapter 18.64 RCW: PROVIDED, HOWEVER, That the pharmacy or pharmacist shall retain responsibility for any act performed by pharmacy ancillary personnel in the course of employment. [2013 c 19 § 40; 1997 c 417 § 8; 1977 ex.s. c 101 § 8.]