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## BILL ANALYSIS



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Senate Bill 468 (as enacted)  
Sponsor: Senator Mike Green  
Senate Committee: Health Policy  
House Committee: Health Policy

**PUBLIC ACT 133 of 2015**

Date Completed: 1-6-16

**CONTENT**

**The bill amended Part 177 (Pharmacy Practice and Control) of the Public Health Code to do the following concerning pharmacy technician licensure and practice:**

- **Excuse certain applicants from the requirement to have graduated from high school or passed the GED test.**
- **Increase the duration of a temporary license from 210 days to one year.**
- **Allow a person employed as a pharmacy technician for an employer with multiple pharmacy locations to work as a limited license pharmacy technician at any of those locations in the State.**

**The bill also delayed from September 30, 2015, to September 30, 2016, the deadline for a licensed compounding pharmacy to be accredited, in the process of becoming accredited, or meet national standards.**

The bill took effect on September 30, 2015.

**Pharmacy Technicians**

Public Act 285 of 2014 amended Part 177, effective December 22, 2014, to require an individual to be licensed as a pharmacy technician if he or she performs any of the functions listed in the law, such as assisting in the dispensing process, compounding drugs, or receiving verbal orders for prescription drugs. The Department of Licensing and Regulatory Affairs (LARA) is authorized to issue a license to an applicant who meets specified criteria. The Department also may issue a temporary license to a person who is preparing for a certification exam, and a limited license to an individual who was working as a pharmacy technician on December 22, 2014.

Among other things, an applicant for a pharmacy technician license must have graduated from an accredited high school or comparable school or educational institution, or passed the general educational development (GED) test or other graduate equivalency examination. An applicant also must have passed the certified pharmacy technician exam given by the Pharmacy Technician Certification Board or the National Healthcareer Association, or another nationally recognized and administered certification exam approved by the Michigan Board of Pharmacy.

An individual who meets any of the following is not required to pass a certification exam:

- He or she is a student in a pharmacy technician program approved by the Board, while performing duties assigned in the course of training.
- He or she is applying for a temporary license.
- He or she is applying for a limited license.

Under the bill, an individual who meets any of those conditions also is not required to have graduated from high school or passed the GED test.

Part 177 allows LARA to issue a temporary license to an individual who is preparing for the certification exam described above. Previously, a temporary license expired 210 days after the date was it issued. The bill extends the term of a temporary license to one year.

Part 177 also allows LARA to issue a pharmacy technician limited license to an individual who was employed by a pharmacy as a pharmacy technician on December 22, 2014, has been continuously employed by that pharmacy since that date, and meets other criteria.

An individual who holds a limited license may act as a pharmacy technician only for the pharmacy that he or she worked for on December 22, 2014. Under the bill, however, if an individual is employed as a pharmacy technician by an employer that operates multiple licensed pharmacy locations, he or she may work as a limited license pharmacy technician at any of those locations in this State.

### Compounding Pharmacies

Public Act 280 of 2014 amended Part 177, effective September 30, 2014, to add regulations for pharmacies that compound (e.g., prepare) drugs. Among other things, an applicant for a new pharmacy license for a pharmacy that will provide compounding services for sterile pharmaceuticals must submit verification of current accreditation through an approved national accrediting organization or verify that the pharmacy is in the accreditation process.

Public Act 280 also required a compounding pharmacy that was licensed on the Act's effective date, by September 30, 2015, to be accredited by a national accrediting organization approved by the Michigan Board of Pharmacy, be verified by the Board as being in the accreditation process, or be in compliance with USP (U.S. Pharmacopeial Convention) standards in a manner determined by the Board. Under the bill, a licensed compounding pharmacy must meet one of these criteria by September 30, 2016.

MCL 333.17739a et al.

Legislative Analyst: Suzanne Lowe

### **FISCAL IMPACT**

The bill will have a negative, but likely minor, fiscal impact on the Bureau of Health Care Systems within the Department of Licensing and Regulatory Affairs, and no fiscal impact on local units of government. The bill allows a limited license pharmacy technician to use his or her license to work at multiple locations owned by the same employer. This will potentially reduce the number of limited licenses issued, as licensees who move from one location to another typically must obtain another license and pay the requisite \$35 fee. It is unknown how many limited license pharmacists make such a move each year, but the fiscal impact from the loss of that fee revenue will likely be minor.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.