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STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

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DIRECTOR

MICHIGAN BOARD OF PHARMACY RULES COMMITTEE WORK GROUP MEETING

MINUTES NOVEMBER 22, 2022

The Michigan Board of Pharmacy Rules Committee Work Group met on November 22, 2022. The meeting was held via Zoom.

CALL TO ORDER

Andria Ditschman, Departmental Specialist, called the meeting to order at 9:06 a.m.

ATTENDANCE

Members Present: Grace Sesi, PharmD
Sandra Taylor, R.Ph.

Members Absent: Pierre Boutros, R.Ph.
Michael Sleiman, PharmD

Staff Present: Andria Ditschman, Departmental Specialist,
Boards and Committees Section
Jacob Poynter, Manager, Licensing Division
Stephanie Wysack, Board Support Technician,
Boards and Committees Section

Public Present: Rose Baran - self
Deeb Eid, PharmD – CVS Pharmacy
Farah Jalloul – Michigan Pharmacists Association (MPA)
Jonathan McLachlan – Alliance Rx Walgreens Pharmacy (ARxWP)
Maria Young, R.Ph. - self

RULES DISCUSSION

Pharmacy – Pharmacist Continuing Education (A copy of the public comment summary, pursuant to today’s discussion, is attached)

Ditschman stated that during the meeting, only public comments would be addressed. No new comments will be considered. The committee would need to be clear as to the reasoning if they decided to not adopt a comment.

R 338.3042 License renewals; continuing education requirements; applicability.

Section (1)(d):

Mollien comment: Ditschman stated that the comment was related to the switch to MiPlus and the need to clarify the continuing education needed for a longer renewal period. Ditschman stated that the request was already being implemented by the department.

Discussion was held.

Poynter stated that adding the comment to the rules was no longer necessary as the timeframe that was affected by the switch to MiPlus has already passed.

The committee did not agree to add the comment as the need for it has passed.

Section (2):

Baran comment: Ditschman read the suggested change for clarification that Implicit Bias Training does not count as continuing education.

Baran stated that due to upcoming changes in the Public Health Code – General Rules, her comment becomes a moot point.

Section (5):

Mollien comment: Ditschman stated that the comment asked for a statement about additional continuing education not being required if the rules change mid-cycle. Ditschman explained how rules are implemented and that typically a date is included, which should remove any mid-cycle requirements.

Discussion held as to whether a change making the rule more restrictive would be helpful.

Poynter stated that a restrictive rule could cause confusion as to which renewal period was affected by the rule change and was difficult for the department to administer.

The committee requested that this comment be taken to the full board for discussion on December 7, 2022. Ditschman will have language available at the time of the meeting if the suggestion is accepted.

R 338.3044 Acceptable continuing education for licensees.

Section (h):

Baran comment: Ditschman stated that the commenter suggested that the rule allows for repetition which is not allowed under R 338.3042(2).

Discussion was held regarding the number of hours allowed.

The committee agreed with the comment and to reduce the number of credits hours allowed from 10 hours to 2 hours, per renewal period.

Ditschman stated that the Public Comment Summary, with the committee's recommendations, would be ready for the board to vote on at the December 7, 2022 meeting.

Pharmacy Technicians (A copy of the draft, pursuant to today's discussion, is attached)

R 338.3665 Performance of activities and functions; delegation.

Ditschman stated that the draft was being pulled back for the committee to discuss the topic of remote work. She stated that the code allows for the board to delegate additional functions. She asked the committee to discuss functions that should be allowed remotely, outside of the personal charge of a pharmacist.

Discussion on what functions to change and how to ensure security was in place for those functions.

McLachlan shared proposed language specifically for this rule. Young agreed with McLachlan's language.

Eid asked for clarification if delegation needed supervision or under personal charge as they are two different scenarios.

Ditschman stated that the committee can allow functions to be handled remotely that the committee does not determine to be a pharmacy service. Pharmacy service is not clearly defined in the Code.

Jalloul stated that work-from-home functions, that are not pharmacy services, would be a great addition to the rules.

Ditschman asked if there should be limitations set for data entry.

The committee stated that the language should be broad and include the following:

1. Data entry
2. Claims adjudication
3. Phone calls and refill requests
4. Medication reconciliation which consists of a) verification of medication history, b) clarification of doses, and c) reconciliation
5. Receiving verbal orders for prescription drugs, except for controlled substances, requiring consultation with a pharmacist when clarification is needed

Discussion held on what type of security is needed for function #4 and if part of these functions are actually pharmacist functions.

The committee agreed to change #4 to verification of medication history.

Sesi suggested that the oversight for the above functions be “Real time communication between the pharmacy technician and the pharmacist.”

Ditschman presented a draft with suggested language changes made by Sesi and Eid.

Subrule (b): Sesi explained that removing the step-by-step language allows for new technology.

The committee agreed with the proposed language change.

Subdivision (b)(v)(A): Thomas suggested removing “limited license” from this subdivision.

The committee agreed to remove “limited license.”

Subdivision (b)(v)(B): Sesi stated that 1,000 hours was a lot and asked if the number be reduced.

Discussion was held on how many hours would be needed to allow for needed experience.

Sesi suggested that training hours be included, so a full pharmacy technician license would not be required. The hours could be earned while holding a temporary or limited pharmacy technician license.

Subdivision (b)(v)(E): Ditschman asked the committee if this subdivision was now redundant with the removal of language in (b).

The committee agreed that it was redundant and could be removed.

Subdivision (b)(v)(I): Ditschman asked the committee if this was a function that could be performed remotely.

Discussion was held regarding adding this function to the approved list.

Subrule (c): Sesi and Eid provided new language.

Jalloul stated that the MPA provides training in product verification that is well over 1,000 hours.

Eid stated that studies have shown that final product verification is something that needs to be learned over time.

Sesi stated that an option for training to count as the 1,000 hours should be included in subdivision (b)(v)(B).

Thomas questioned how the training would be verified to make sure that it was appropriate.

Ditschman stated that the rule could include a list of topics that must be included in the training. Eid will provide a list.

Sesi raised Senate Bill 4210 from Illinois regarding training.

Eid stated that SB 4210 was related to employer programs.

It was determined that Eid would submit proposed language regarding training.

ADJOURNMENT

Ditschman stated that the Pharmacy – Pharmacist Continuing Education Public Comment Summary will be voted on by the board at the meeting on December 7, 2022. She was also hoping to have the Pharmacy Technicians draft available for a vote.

Ditschman adjourned the meeting at 10:55 a.m.

Prepared by:
Stephanie Wysack, Board Support Technician
Bureau of Professional Licensing

December 6, 2022

Pharmacy- Pharmacist Continuing Education Rules - ORR 2021-051 LR
Public Comment Summary
Rules Committee’s Recommendations to October 24, 2022, Public Comments

Testimony/Comments Received:

Rose Baran
 Charlie Mollien

Rule 338.3042 License renewals; continuing education requirements; applicability.

Rule Numbers	Commenter	Comment
Section (1)(d)	Mollien	Modify R 338.3042(1)(d) to reflect the actual practice of the Department to read: The continuing education requirements apply to an applicant for license renewal, who has been licensed for the 2-year period immediately preceding the end of the license cycle. If a license cycle is extended more than 2 years by the Department, the additional time may be used to complete the continuing education requirements.
Section (2)	Baran	Rule 338.3042(2) is confusing. In the current Public Health Code-General Rules, Rule 338.7004(2) it states “Beginning June 1, 2022, and for every renewal cycle thereafter, <u>in addition to completing any continuing education required for renewal, reregistration, or relicensure, an applicant for license or registration renewal, reregistration, or relicensure under article 15 of the code, MCL 333.16101 to 333.18838, except those licensed under part 188 of the code, MCL 333.18801 to 333.18838, shall have completed a minimum of 1 hour of implicit bias training for each year of the applicant’s license or registration cycle.”</u> It appears Rule 338.3042(2) is in conflict with Rule 338.7004 as Rule 338.3042(2) would allow Implicit Bias Training to count for both Implicit Bias Training and continuing education credit in the same renewal period. Also the Implicit Bias Training FAQs at https://www.michigan.gov/-

		<p>/media/Project/Websites/lara/bpl/Shared-Files/Implicit-Bias-Training-FAQs.pdf?rev=3bc940b9f585408db605070baf61c83e states “The rule also specifically states that this training is in addition to any continuing education requirements required for renewal.</p> <p>Suggest changing Rule 338.3042(2) to read: Except for the implicit bias training, the 1-time training in human trafficking, and the 1-time training in opioid and controlled substances awareness may be used to comply with both the training requirement and the continuing education requirement in the same renewal period. An applicant for license renewal may not earn continuing education credit for a program or activity that is identical to a program or activity an applicant has already earned credit for during that renewal period.</p>
Section (5)	Mollien	<p>Modify R 338.3042(5) to make clear, and fair to all licensees, the Board does not intend to apply additional license renewal requirements during the license cycle a rule change takes effect. For example, if the Board were to require 1 hour of patient safety CPE in the future, the requirement to complete the 1 hour begins with the next full license cycle (not in the middle of a license cycle, which could have 1 day, 1 week, or 1.9 years left depending on when a licensee renews their license).</p> <p>If additional continuing education requirements are needed to meet license renewal requirements, the new requirements take effect starting with the next full license cycle. Except as Otherwise unless as stated, this rule takes effect upon promulgation of the rules.</p>
Rules Committee Response		<p>(1)(d): The Rules Committee does not recommend that the requested language be added to the rule, as it is rare that the license cycle is extended, and the proposed language may be confusing to licensees.</p> <p>(2): The Rules Committee does not recommend that the change be incorporated into the rules because the changes to the General Public Health Code Implicit Bias rule make the comment moot.</p> <p>(5): The Rules Committee is recommending that the comment be evaluated with the full Board. It was discussed that not all changes to continuing education are effective at the same time. A reduction in requirements as well as procedural requirements usually take place immediately upon promulgation. Rules that add specific continuing education hours usually take affect for the first renewal cycle 1 year after the rules are promulgated, or on a specific date.</p>

R 338.3042 License renewals; continuing education requirements; applicability.

Rule 2. (1) These rules apply to applications for renewal of a pharmacist's license and a special retired volunteer pharmacist's license under sections 16201 and 16184 of the code, MCL 333.16201 and 333.16184. A licensee seeking renewal shall comply with all of the following:

(a) Submit a completed application on a form provided by the department, together with the requisite fee.

(b) Beginning with renewals on January 1, 2020, an applicant for license renewal shall have completed a 1-time training identifying victims of human trafficking as required in R 338.511 and section 16148 of the code, MCL 333.16148.

(c) An applicant for license renewal, who also applies for a controlled substance license, shall have completed a 1-time training in opioids and other controlled substances awareness as required in R 338.3135.

(d) The continuing education requirements apply to an applicant for license renewal, who has been licensed for the 2-year period immediately preceding the end of the license cycle.

(e) An applicant for license renewal shall furnish the board with satisfactory evidence that the applicant completed not less than 30 hours of continuing education approved by the board, under R 338.3043 and R 338.3044, during the license cycle before the application for renewal. Continuing education that is earned during the 60-day grace period may be included up to the date the application for renewal is filed. An applicant for license renewal shall complete all of the following continuing education requirements:

(i) At least 1 hour of the 30 required hours of continuing education in pharmacy ethics and pharmacy law, which may be completed in 1 or more courses.

(ii) At least 10 hours of the 30 required hours of continuing education must be live, synchronous, courses or programs, in-person or virtual, that provide for the opportunity of direct interaction between faculty and participants, including but not limited to, lectures, symposia, live teleconferences, and workshops. Accreditation Council for Pharmacy Education (ACPE) courses designated as live meet this requirement.

(iii) At least 1 hour of the 30 required hours of continuing education in pain and symptom management, as required under section 16204(2) of the code, MCL 333.16204. Continuing education in pain and symptom management includes, but is not limited to, courses in behavior management, psychology of pain, pharmacology, behavior modification, stress management, clinical applications, and drug interventions as they relate to professional practice.

(iv) Not more than 12 hours of continuing education during a 24-hour period.

(2) Except for the 1-time training in human trafficking, the 1-time training in opioid and controlled substances awareness, and the implicit bias training, which may be used to comply with both the training requirement and the continuing education requirement in the same renewal period, an applicant for license renewal may not earn continuing education credit for a

program or activity that is identical to a program or activity an applicant has already earned credit for during that renewal period.

(3) Submission of an application for renewal constitutes the applicant’s certification of compliance with the requirements of this rule. An applicant shall retain documentation of meeting the requirements of this rule for a period of 4 years from the date of applying for license renewal. The board may require an applicant to submit evidence to demonstrate compliance with this rule. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(4) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.

(5) Except as otherwise stated, this rule takes effect upon promulgation of the rules.

Rule 338.3044 Acceptable continuing education for licensees.

Rule Numbers	Commenter	Comment
Section (h)	Baran	Rule 338.3044(h) appears to allow a licensee presenting a continuing education program under (h) at 5 different times in a renewal period and obtain 10 hours of continuing education for presenting the same continuing education program. This would appear to conflict with Rule 338.3042(2) “An applicant for license renewal may not earn continuing education credit for a program or activity that is identical to a program or activity an applicant has already earned credit for during that renewal period.” However, if that is the intent, to allow up to 10 hours for presenting the same program in the same renewal period than no change is needed.
Rules Committee Response	(h): The Rules Committee recommends that 10 hours be modified to 2 hours. A licensee should only receive continuing education credit for presenting a continuing education program approved by the board under R 338.3043 or subdivision (a) of this rule that is not a part of the licensee’s regular job description once during a license cycle.	

R 338.3044 Acceptable continuing education for licensees.

Rule 4. The board shall consider all of the following as acceptable continuing education:

ACCEPTABLE CONTINUING EDUCATION ACTIVITIES		
	Type of Activity	# Number of Hours Earned/Maximum Hours
(a)	Completion of an approved continuing	The number of hours earned will

	<p>education course or program related to the practice of pharmacy. A continuing education course or program is approved, regardless of the format in which it is offered, if it is approved or offered for continuing education credit by any of the following:</p> <ul style="list-style-type: none"> • A pharmacy program accredited by the Accreditation Council for Pharmacy Education (ACPE) or the Canadian Council for Accreditation of Pharmacy Programs (CCAPP). • A continuing education sponsoring organization, institution, or individual approved by the ACPE. • Another state board of pharmacy. <p>If audited, a licensee shall submit a copy of a letter or certificate of completion showing the licensee's name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held, or activity completed.</p>	<p>be the number of hours approved by the sponsor or the approving organization.</p> <p>If the activity was not approved for a set number of hours, then 1 credit hour for every 50 minutes of participation may be earned.</p> <p>No limitation on the number of hours earned.</p>
(b)	<p>Completion of postgraduate pharmacy practice or administration courses offered for credit in a pharmacy school accredited by the ACPE or the CCAPP.</p> <p>If audited, a licensee shall submit an official transcript that reflects completion of the</p>	<p>Twelve hours of continuing education will be earned for each academic quarter credit earned and 18 hours will be earned for each academic semester credit earned.</p> <p>No limitation on the number of</p>

	postgraduate pharmacy practice or administration course and number of semester or quarter credit hours earned.	hours earned.
(c)	<p>Participation in a home study program offered through an ACPE-approved provider or other instructional approaches that include an evaluation component including, but not limited to, on-line continuing education programs and journal articles.</p> <p>If audited, a licensee shall submit an affidavit attesting to the number of hours the licensee spent participating in the home study program that includes a description of the activity.</p>	<p>One hour will be earned for each hour devoted to a home study program.</p> <p>A maximum of 20 hours may be earned per renewal period.</p>
(d)	<p>Participation as a preceptor for at least 1 pharmacy intern.</p> <p>A preceptorship shall be for a minimum of 120 hours in person and have a 1 intern - to - 1 preceptor ratio. This may involve multiple preceptor relationships at different times.</p> <p>If audited, a licensee shall submit written documentation from the educational institution or preceptor's supervisor verifying the dates and hours of the preceptorship.</p>	<p>Five hours of continuing education may be earned for a minimum of 120 hours in person of preceptorship in each renewal period.</p> <p>A maximum of 5 hours may be earned in each renewal period.</p>
(e)	Renewal of a pharmacy license held in another state that requires continuing education for license renewal that is	<p>Thirty hours will be earned.</p> <p>A maximum of 30 hours may be</p>

	<p>substantially equivalent in subject matter and total amount of required hours to that required in these rules if the licensee resides and practices in another state.</p> <p>If audited, a licensee shall submit proof of current licensure in another state and a copy of a letter or certificate of completion showing all of the following:</p> <ul style="list-style-type: none"> • theThe licensee's name,. • numberNumber of hours earned,. • theThe sponsor's name or the name of the organization that approved the program or activity for continuing education credit, and • theThe date on which the program was held, or the activity was completed. 	<p>earned in each renewal period.</p>
(f)	<p>Initial publication of an article or a chapter related to the practice of pharmacy in either of the following:</p> <ul style="list-style-type: none"> • A pharmacy textbook. • A peer reviewed journal. <p>If audited, a licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</p>	<p>Ten hours will be earned per publication.</p> <p>A maximum of 10 hours may be earned in each renewal period.</p>
(g)	<p>Successful completion of a board certification national pharmacy examination through Board of Pharmacy Specialties (BPS).</p>	<p>Ten hours may be earned in the year in which the licensee achieves a passing score.</p>

	<p>If audited, a licensee shall submit proof of a passing score on the examination.</p>	<p>A maximum of 20 hours may be earned in each renewal period. Credit will not be given for repeating the same examination twice in a renewal period.</p>
(h)	<p>Presentation of a continuing education program approved by the board under R 338.3043 or subdivision (a) of this rule that is not a part of the licensee's regular job description.</p> <p>If audited, a licensee shall submit a copy of the curriculum and a letter from the program sponsor verifying the length and date of the presentation.</p>	<p>Two hours for every 50 minutes devoted to presenting the program.</p> <p>A maximum of 102 hours will may be earned in each renewal period.</p>
(i)	<p>Attendance at a pharmacy-related program that is approved by the board pursuant to R 338.3043.</p> <p>If audited, a licensee shall submit a copy of a letter or certificate of completion showing all of the following:</p> <ul style="list-style-type: none"> • licensee's Licensee's name, • number Number of hours earned, • sponsor Sponsor name or the name of the organization that approved the program or course for continuing education credit, and • the The date on which the program 	<p>The number of hours earned will be the number of hours approved by the sponsor or the approving organization.</p> <p>If the activity was not approved for a set number of hours, then 1 credit hour for every 50 minutes of participation may be earned.</p> <p>No limitation on the number of hours earned.</p>

	was held, or the activity was completed.	
(j)	Attendance at a full board of pharmacy meeting, disciplinary subcommittee meeting, or rules committee work group meeting.	<p>One hour may be earned for attending a full meeting. This category of continuing education qualifies as 1 hour in pharmacy law.</p> <p>A maximum of 5 hours may be earned in each renewal period.</p>

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PHARMACY TECHNICIANS

Filed with the secretary of state on

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(9) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections ~~16145~~, 16148, ~~17707~~~~16184~~, ~~16186~~, ~~16201~~, ~~16204~~, ~~16205~~, ~~16215~~, ~~16287~~, 17731, 17739, 17739a, 17739b, and 17739c, of **the public health code**, 1978 PA 368, ~~as amended~~, MCL 333.16145~~(3)~~, 333.16148, ~~333.17703~~, ~~333.17707~~, ~~333.16184~~, ~~333.16186~~, ~~333.16201~~, ~~333.16204~~, ~~333.16205~~, ~~333.16215~~, ~~333.16287~~, 333.17731, 333.17739, 333.17339a, 333.17739b, and 17739c and Executive Reorganization Order Nos. ~~1996-1~~~~1991-9~~, 1996-2, 2003-1, and 2011-4, MCL ~~330.3101~~~~338.3501~~, 445.2001, 445.2011, and 445.2030)

R 338.3651, R 338.3652, R 338.3653, R 338.3654, 338.3655, 338.3657, 338.3659, 338.3661, 338.3662, 338.3663, and 338.3665 of the Michigan Administrative Code are amended as follows:

R 338.3651 Pharmacy technician licensure; eligibility; examination.

Rule 1. (1) An applicant for licensure by examination ~~as a pharmacy technician~~ shall submit a completed application on a form provided by the department of **licensing and regulatory affairs (department)**, together with the appropriate fee unless the applicant is exempt from filing under any of the following exemptions pursuant to section 17739a(4) of the **public health code (code)**, **1978 PA 368**, MCL 333.17739a:

(a) A student, **while the student is** enrolled in a pharmacy technician program approved by the **board of pharmacy** (board), under R 338.3655.

(b) A licensee who holds a temporary pharmacy technician license under R 338.3652 and section 17739b of the code, MCL 333.17739b.

(c) A licensee who holds a limited pharmacy technician ~~license~~**license** under section 17739c of the code, MCL 333.17739c.

(2) In addition to meeting the requirements of **R 338.7001 to R 338.7005**, **any other rules promulgated under the code**, and section 16174 of the code, MCL 333.16174, an applicant shall comply with all of the following requirements:

(a) Have graduated from an accredited high school or comparable school or educational institution or passed the general educational development test or the graduate equivalency examination.

(b) Have passed and provided proof to the department of passing any of the following examinations:

(i) The certified pharmacy technician examination given by the Pharmacy Technician Certification Board (PTCB) or the National Healthcareer Association (NHA).

(ii) A nationally recognized and administered pharmacy technician certification examination that has been approved by the board under R 338.3654.

(iii) An employer-based training program examination that has been approved by the board under R 338.3654.

(c) ~~Beginning March 16, 2021, an~~ An applicant shall submit proof of having completed **the 1-time** training in identifying victims of human trafficking as required in R 338.3659 **and section 16148 of the code, MCL 333.16148.**

(3) An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following:

(a) Disclose each license, registration, or certification on the application form.

(b) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.

R 338.3652 Temporary license.

Rule 2. (1) Subject to the limitations in section 16181 of the code, MCL 333.16181, and under section 17739b, of the code, MCL 333.17739b, the department may issue a nonrenewable, temporary license to an applicant who is preparing for the proficiency examination and has completed all requirements for licensure as a pharmacy technician **under R 338.3651** except passing the proficiency examination required under section 17739a(1)(d) of the code, MCL 333.17739a.

(2) An applicant applying for a pharmacy technician temporary license shall submit a completed application on a form provided by the department, together with the appropriate fee.

(3) The temporary license expires 1 year after the date the temporary license is issued.

R 338.3653 Licensure by endorsement.

Rule 3. (1) An applicant **who has never held a pharmacy technician license in this state, who is licensed in another state, may apply** for licensure by endorsement ~~shall by submitting~~ **submitting** a completed application on a form provided by the department, together with the requisite fee.

(2) An applicant who meets the requirements of R 338.7001 to R 338.7005, any other rules promulgated under the code, and section 16174 of the code, MCL 333.16174, as well as all of the following requirements of this rule, is presumed to meet the requirements of section 16186 of the code, MCL 333.16186.

~~(2) An applicant shall satisfy all of the following requirements:~~

~~(a) Have~~**Has** graduated from an accredited high school or comparable school or educational institution, or passed the general educational development test or the graduate equivalency examination.

~~(b) Satisfy~~**Satisfies** the requirements in section 16174(2) of the code, MCL 333.16174, **which includes verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.**

~~(c) Hold~~**Holds** a pharmacy technician license or registration by examination in another state that is active and in good standing.

(d) ~~Submit~~**Submits** proof that the applicant passed 1 of the approved examinations specified in R 338.3651(2)(b).

(e) **Submits** proof of having completed **the 1-time** training in identifying victims of human trafficking as required in R 338.3659 **and section 16148 of the code, MCL 333.16148.**

~~(3) In addition to meeting the requirements of subrules (1) and (2) of this rule, an applicant's license must be verified, on a form provided by the department, by the licensing agency of any state in which the applicant holds a current license or ever held a license as a pharmacy technician. Verification must be sent directly to the department from the licensing agency and include the record of any disciplinary action taken or pending against the applicant.~~

(f) Discloses each license, registration, or certification in a health profession or specialty issued by any other state, the United States military, the federal government, or another country on the application form.

R 338.3654 Examination requirements; board approval; approval process.

Rule 4. (1) Except for the PTCB and NHA examinations, a nationally recognized pharmacy technician proficiency certification examination and an employer-based training program proficiency examination must be approved by the board.

(2) An employer-based training program proficiency examination must be offered in association with a specific employer-based training program and cover the topics specified in section 17739a(1)(d)(iv) of the code, MCL 333.17739a.

(3) An entity that offers a nationally recognized pharmacy technician proficiency certification examination shall submit to the department a completed application on a form provided by the department with proof of current national accreditation in order to be approved by the board. If the examination is nationally accredited, after the department processes the application, it shall be considered approved by the board. If national accreditation is lost, the examination will no longer be approved by the board.

(4) An entity that offers an employer-based training program proficiency examination shall submit to the department a completed application on a form provided by the department and a copy of the examination with the correct answers clearly identified for each question.

(5) An entity that offers an employer-based training program proficiency examination shall submit a modification to a proficiency examination during its approval term to the department on a form provided by the department pursuant to the requirements of this rule.

(6) ~~Beginning July 1, 2022,~~ **Except for PTCB and NHA,** a nationally recognized certification proficiency examination or employer-based training program proficiency examination approved by the board before July 1, 2022, shall submit an application consistent with this rule for approval **by July 1, 2023 or the program will no longer be listed as a board approved program.**

~~(7) Beginning July 1, 2022,~~ **The** board's approval of an examination expires 5 years after the date of approval.

(8) One year after the effective date of this rule, a board approved proficiency examination shall have a minimum passing score of 70%.

R 338.3655 Approved pharmacy technician programs.

Rule 5. (1) The following pharmacy technician programs are considered board-approved after a completed application on a form provided by the department along with proof of accreditation is submitted to and reviewed by the department:

(a) A pharmacy technician program including an employer-based training program that is accredited by the American Society of Health-System Pharmacists/Accreditation Council for Pharmacy Education Pharmacy Technician Accreditation Commission (ASHP/ACPE).

(b) A pharmacy technician program that is offered by an education program that is accredited by the ASHP/ACPE or by an agency accredited by the United States Department of Education.

(2) If ~~either~~**any** of the following pharmacy technician programs do not meet the requirements in subrule (1) of this rule, the program may apply for board approval by submitting an application to the department on a form provided by the department, along with an attestation form that verifies compliance with the information required in subrule (3) of this rule.

(a) A comprehensive curriculum-based pharmacy technician education and training program conducted by a **community college under the community college act, 1966 PA 331, MCL 389.1 to 389.195** or a school that is licensed ~~pursuant to~~**under** the proprietary schools act, 1943 PA 148, MCL 395.101 to 395.103.

(b) A pharmacy technician training program utilized by a pharmacy that includes training in the functions, specified in section 17739(1) of the code, MCL 333.17739, and R 338.3665, required to assist the pharmacist in the technical functions associated with the practice of pharmacy.

(3) The contents of the training programs offered under subrule (2) of this rule must include all of the following:

(a) The duties and responsibilities of the pharmacy technician and a pharmacist, including the standards of patient confidentiality, and ethics governing pharmacy practice.

(b) The tasks and technical skills, policies, and procedures related to the pharmacy technician's position pursuant to the duties specified in section 17739(1) of the code, MCL 333.17739, and R 338.3665.

(c) The pharmaceutical-medical terminology, abbreviations, and symbols commonly used in prescriptions and drug orders.

(d) The general storage, packaging, and labeling requirements of drugs, prescriptions, or drug orders.

(e) The arithmetic calculations required for the usual dosage determinations.

(f) The essential functions related to drug, purchasing, and inventory control.

(g) The recordkeeping functions associated with prescriptions or drug orders.

(4) The pharmacy technician program shall maintain a record of a student's pharmacy technician training and education, specified in this rule, for 3 years after a student completes or leaves the program, whichever is earlier, that must include all of the following:

(a) The full name and date of birth of the pharmacy technician student.

(b) The starting date of the pharmacy technician program and date the student successfully completed the program.

(c) The program syllabus and activities performed in the program.

(5) A student shall complete a board-approved pharmacy technician program within 2 years of beginning the program in order to maintain his or her exemption from licensure in subrule (6) of this rule, and R 338.3651.

(6) A student in a board-approved pharmacy technician program is exempt from, and not eligible for, licensure while in the program.

(7) A student less than 18 years old, in a board-approved pharmacy technician program, may participate in practical training in the pharmacy.

(78) ~~Beginning July 1, 2022,~~ a A pharmacy technician program that was board approved before July 1, 2022, must reapply and meet the requirements of this rule **by July 1, 2023 or the program will no longer be listed as a board approved program.** ~~Beginning July 1, 2022,~~ ~~the~~ ~~The~~ board's approval of a program expires 5 years after the date of approval. After 5 years, upon review by the department, a pharmacy technician program may be reapproved if it has maintained its accreditation.

(9) If after a program has been approved, the department determines that a program is not meeting the standards of the code or these rules, the department may send written notice to the program stating the areas in the program which are deficient. The program will have 30 days to fix any deficiency and report back to the department. If the deficiencies are not resolved, the board may withdraw approval.

(10) Withdrawal of board approval of a program for stated deficiencies which were not remediated does not make any bona fide student enrolled in the program, at the time of withdrawal of approval, ineligible for the required licensure examination.

R 338.3657 Relicensure requirements for pharmacy technicians.

Rule 7. **(1)** An applicant for relicensure whose pharmacy technician license has lapsed **in this state** under ~~the provisions of~~ section 16201(3) or (4) of the code, MCL 333.16201, as applicable, may be relicensed by complying with the following requirements:

(a) For a pharmacy technician who has let his or her license lapse in this state and who is not currently licensed in another state:	License Lapsed 0-3 years.	Lapsed License lapsed more than 3 years.
(i) Application and fee: Submit Submit a completed application on a form provided by the department, together with the requisite fee.	√	√
(ii) Good moral character: Establish Establish that he or she is of good moral character as defined in, and determined under, sections 1 to 7 of 1974 PA 381, MCL 338.41 to 338.47.	√	√
(iii) Submit fingerprints: Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√
(iv) Continuing education: Submit Submit proof of having completed 20 hours of continuing education specified in R 338.3661(1)(e) (1) that was completed within the 2-year period preceding before the date of the application for relicensure. If the continuing education hours submitted with the application are deficient, an applicant shall have 2 years from after the date of the application to complete the deficient hours. The application will must be held, and the license will may not be issued until the continuing education requirements have been are met.	√	√
(v) Examination: Within 2 years of the period preceding the application for relicensure, pass pass 1		√

of the examinations specified in R 338.3651(2)(b)(i) to (iii).		
(vi) Beginning March 16, 2021, an applicant shall submit Submit proof of having completed completing a 1-time training in identifying victims of human trafficking as required in R 338.3659, and implicit bias training as required in R 338.7004.	√	√
(vii) Verification: Submit verification from the licensing agency of all other states of the United States in which the applicant has ever held a license to practice as a pharmacy technician. Verification must include the record of any disciplinary action taken or pending against the applicant. An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.	√	√
(viii) Meet the English language requirement under R 338.7002b.	√	√
(b) For a pharmacy technician who has let his or her license lapse in this state, but who holds a current and valid pharmacy technician license in another state:	License lapsed 0-3 years.	License lapsed more than 3 years.
(i) Submit a completed application on a form provided by the department, together with the requisite fee.	√	√
(ii) Establish that he or she is of good moral character as defined in, and determined under, 1974 PA 381, MCL 338.41 to 338.47.	√	√
(iii) Submit fingerprints: Submit fingerprints as required under section 16174(3) of the code, MCL 333.16174.		√
(iv) Submit proof of having completed 20 hours of substantially similar continuing education as required in R 338.3661(1) that was completed within the 2-year period before the application for relicensure. If the continuing education hours	√	√

submitted with the application are deficient, an applicant shall have 2 years after the date of the application to complete the deficient hours. The application must be held, and the license may not be issued until the continuing education requirements are met.		
(v) Within 2 years preceding the application for relicensure, passes 1 of the examinations specified in R 338.3651(2)(b)(i) to (iii).		✓
(v) Submit proof of completing a 1-time training in identifying victims of human trafficking as required in R 338.3659, and implicit bias training as required in R 338.7004.	✓	✓
(vi) Submit verification from the licensing agency of all other states of the United States in which the applicant has ever held a license to practice as a pharmacy technician. Verification must include the record of any disciplinary action taken or pending against the applicant. An applicant who is or has ever been licensed, registered, or certified in a health profession or specialty by any other state, the United States military, the federal government, or another country, shall do both of the following: (A) Disclose each license, registration, or certification on the application form. (B) Satisfy the requirements of section 16174(2) of the code, MCL 333.16174, which include verification from the issuing entity showing that disciplinary proceedings are not pending against the applicant and sanctions are not in force at the time of application.	✓	✓
(vii) Meet the English language requirement under R 338.7002b.	✓	✓

(2) If relicensure is granted and it is determined that a sanction has been imposed by another state, the United States military, the federal government, or another country, the disciplinary subcommittee may impose appropriate sanctions under section 16174(5) of the code, MCL 333.16174.

R 338.3659. Training standards for identifying victims of human trafficking; requirements.

Rule 9. (1) Pursuant to ~~Under~~ section 16148 of the code, MCL 333.16148, ~~and~~ the individual licensed or seeking licensure shall **have completed** ~~complete~~ training in identifying victims of human trafficking that meets the following standards:

- (a) Training content covers all of the following:
 - (i) Understanding the types and venues of human trafficking in the United States.
 - (ii) Identifying victims of human trafficking in ~~health care~~ **healthcare** settings.

(iii) Identifying the warning signs of human trafficking in ~~health-care~~**healthcare** settings for adults and minors.

(iv) ~~Resources~~**Identifying resources** for reporting the suspected victims of human trafficking.

(b) Acceptable providers or methods of training include any of the following:

(i) Training offered by a nationally-recognized or state-recognized health-related organization.

(ii) Training offered by, or in conjunction with, a state or federal agency.

(iii) Training obtained in an educational program that has been approved by the board for initial licensure, or by a college or university.

(iv) Reading an article related to the identification of victims of human trafficking that meets the requirements of subdivision (a) of this subrule and is published in a ~~peer review~~**peer-review** journal, ~~health-care~~**healthcare** journal, or professional or scientific journal.

(c) Acceptable modalities of training include any of the following:

(i) Teleconference or webinar.

(ii) Online presentation.

(iii) Live presentation.

(iv) Printed or electronic media.

(2) The department may select and audit ~~a sample of individuals~~**an individual** and request documentation of proof of completion of training. If audited by the department, ~~an~~**the** individual shall provide an acceptable proof of completion of training, including either of the following:

(a) Proof of completion certificate issued by the training provider that includes the date, provider name, name of training, and individual's name.

(b) A self-certification statement by ~~an~~**the** individual. The certification statement must include the individual's name and ~~either~~**1** of the following:

(i) For training completed ~~pursuant to~~**under** subrule (1)(b)(i) to (iii) of this rule, the date, training provider name, and name of training.

(ii) For training completed pursuant to subrule (1)(b)(iv) of this rule, the title of article, author, publication name of ~~the peer review~~**peer-review** journal, ~~health-care~~**healthcare** journal, or professional or scientific journal, and ~~the~~ date, volume, and issue of publication, as applicable.

(3) ~~Pursuant to section 16148 of the code, MCL 333.16148, the requirements specified in subrule (1) of this rule apply for license renewals beginning with the first renewal cycle after March 16, 2016, and for initial licenses issued after March 16, 2021.~~

R 338.3661 License renewals; continuing education requirements.

Rule 11. (1) ~~A licensee seeking renewal of a pharmacy technician's license, who has been licensed for the 2-year period preceding the end of the license cycle, shall during the 2 years immediately preceding the application for renewal, comply with all of the following:~~

This rule applies to applications for renewal of a pharmacy technician's license and a special retired volunteer pharmacy technician's license under sections 16201 and 16184 of the code, MCL 333.16201 and 333.16184. A licensee seeking renewal shall comply with all of the following:

(a) Submit to the department a completed application for renewal on a form provided by the department together with the requisite fee.

(b) Complete the training in identifying victims of human trafficking as required in R 338.3659.

- (c) Except as otherwise provided in subrule (6) of this rule, comply with 1 of the following:
- (i) Complete a proficiency examination as specified in R 338.3651(2)(b)(i) to (iii).
 - (ii) Complete not less than 20 hours of continuing education courses or programs approved by the board, during the 2 years preceding the application for renewal, that meet all of the following requirements:
 - (A) No more than 12 hours of continuing education credit may be earned during a 24-hour period.
 - (B) An applicant shall not earn credit for taking the same continuing education course or program twice during 1 renewal period.
 - (C) Not less than 5 of the continuing education credits must be earned by attending live courses, programs or activities that provide for direct interaction with instructors, peers, and participants, including but not limited to lectures, meetings, symposia, real-time teleconferences or webinars, and workshops.
 - (D) Continuing education credit must be earned as follows:

Subjects		Number of continuing education hours required or permitted for each activity
(I)	Pain and symptom management relating to the practice of pharmacy.	Minimum: 1 hour
(II)	Patient safety.	Minimum: 1 hour
(III)	Pharmacy law.	Minimum: 1 hour
(IV)	Pharmacy-related subject matter, including the following topics: Medication or drug distribution. Inventory control systems. Mathematics and calculations. Biology. Pharmaceutical sciences. Therapeutic issues. Pharmacy operations. Pharmacology, drug therapy, or drug products. Preparation of sterile products. Prescription compounding. Drug repackaging. Patient interaction, or interpersonal skills, and communication.	Minimum: 17 hours in any combination of the pharmacy-related subject matters included in this subparagraph. Instruction in each subject is not required.

- (2) A continuing education course or program that is offered or approved by any of the following providers is approved by the board:
- (a) A pharmacy technician educational program that has been approved by the board.
 - (b) A course or program approved by another state board of pharmacy.
 - (c) A program approved by the ASHP/ACPE.
 - (d) A course or program approved by the board under R 338.3663.

~~(3) Submission of an application for renewal shall constitute the applicant's certification of compliance with this rule. The licensee shall retain documentation of meeting the requirements of this rule for a period of 4 years from the date of applying for license renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.~~

~~(4) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department before the expiration date of the license.~~

~~(5) If audited, a licensee shall submit to the department a copy of a letter or certificate of completion that includes all of the following:~~

~~—(a) The licensee's name.~~

~~—(b) The number of hours earned.~~

~~—(c) The sponsor name or the name of the organization that approved the program or activity.~~

~~—(d) The date on which the program was held or activity completed.~~

~~(6) Effective for applications for renewal that are filed for the renewal cycle that begins 1 year or more after the effective date of this subrule, an applicant shall meet the requirements of this subrule and the requirements in subrules (1)(a) and (b), (3), and (4) of this rule.~~

(c) An applicant for license renewal, who has been licensed for the entire 2-year period preceding the end of the license cycle, shall during the 2 years immediately preceding the application for renewal complete not less than 20 hours of continuing education approved by the board under R 338.3662 as follows:

~~(a)(i)~~ **An applicant for license renewal shall complete 1 hour in pharmacy ethics and jurisprudence which may be completed in 1 or more courses.**

~~(b)(ii)~~ **An applicant for license renewal shall complete 1 hour in pain and symptom management in the practice of pharmacy that includes, but is not limited to, courses in the following subjects:**

~~(i)(A)~~ **Behavior management.**

~~(ii)(B)~~ **Psychology of pain.**

~~(iii)(C)~~ **Pharmacology.**

~~(iv)(D)~~ **Behavior modification.**

~~(v)(E)~~ **Stress management.**

~~(vi)(F)~~ **Clinical applications as they relate to professional practice.**

~~(e)(iii)~~ **An applicant for license renewal shall complete 1 hour in patient safety.**

~~(d)(iv)~~ **An applicant for license renewal shall earn no more than 12 hours of continuing education during a 24-hour period.**

~~(e)(v)~~ **Except for the 1-time training in human trafficking and the implicit bias training, which may be used to comply with both the training requirement and the continuing education requirement in the same renewal period, an applicant for license renewal may not earn continuing education credit for a program or activity that is identical to a program or activity an applicant has already earned credit for during that renewal period.**

~~An applicant for license renewal shall not earn credit for taking the same continuing education course or program twice during 1 renewal period.~~

~~(f)(vi)~~ **An applicant for license renewal shall earn not less than at least 5 hours of continuing education in live, synchronous, courses or programs, in-person or virtual, that provide for the opportunity of direct interaction between faculty and participants, including but not limited to, lectures, symposia, live teleconferences, and workshops. ACPE courses designated as live meet this requirement.**

courses, programs, or activities that provide for direct interaction with instructors, peers, and participants including, but not limited to, lectures, meetings, symposia, real-time teleconferences or webinars, and workshops.

(2) Submission of an application for renewal shall constitute the applicant’s certification of compliance with this rule. The licensee shall retain documentation of meeting the requirements of this rule for a period of 4 years from the date of applying for license renewal. Failure to comply with this rule is a violation of section 16221(h) of the code, MCL 333.16221.

(3) A request for a waiver under section 16205 of the code, MCL 333.16205, must be received by the department for the board’s consideration at least 30 days before the last regularly scheduled board meeting before the expiration date of the license. The public notice for the board meetings can be found here: [Pharmacy \(michigan.gov\)](http://Pharmacy.michigan.gov).

(4) Continuing education that is earned during the 60-day grace period may be included up to the date the application for renewal is filed.

R 338.3662 Format of acceptable continuing education for licensees.

Rule 12. ~~Effective for applications for renewal that are filed for the renewal cycle that begins 1 year or more after the effective date of this subrule, the~~ **The** board shall consider all of the following as acceptable continuing education:

FORMAT OF ACCEPTABLE CONTINUING EDUCATION ACTIVITIES	
Type of Activity	Number/Maximum Hours Earned
<p>(a) Completion of an approved continuing education course or program related to the practice of pharmacy. A continuing education course or program is approved, regardless of the format in which it is offered, if it is approved or offered for continuing education credit by any of the following:</p> <ul style="list-style-type: none"> • A pharmacy program accredited by the ASHP/ACPE or the Canadian Council for Accreditation of Pharmacy Programs (CCAPP). • A continuing education sponsoring organization, institution, or individual approved by the ASHP/ACPE. • Another state board of pharmacy. <p>If audited, a licensee shall submit to the department a copy of a letter or certificate of completion showing the licensee’s name, number of hours earned, sponsor name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held, or activity completed.</p>	<p>The number of hours earned will be the number of hours approved by the sponsor or the approving organization.</p> <p>If the activity was not approved for a set number of hours, then 1 credit hour for every 50 minutes of participation may be earned.</p> <p>No limitation on the number of hours earned.</p>

(b)	<p>Completion of pharmacy practice or administration courses offered for credit in a pharmacy program accredited by the ASHP/ACPE or the CCAPP.</p> <p>If audited, a licensee shall submit to the department an official transcript that reflects completion of the postgraduate pharmacy practice or administration course and number of semester or quarter credit hours earned.</p>	<p>Twelve hours of continuing education will be credited for each academic quarter credit earned and 18 hours will be credited for each academic semester credit earned.</p> <p>No limitation on the number of hours earned.</p>
(c)	<p>Participation in a home study program offered through an ASHP/ACPE-approved provider or other instructional approaches that include an evaluation component including, but not limited to, on-line continuing education programs and journal articles.</p> <p>If audited, a licensee shall submit to the department an affidavit attesting to the number of hours the licensee spent participating in the home study program that includes a description of the activity.</p>	<p>One hour will be earned for each hour devoted to a home study program.</p> <p>A maximum of 20 hours may be earned per renewal period.</p>
(d)	<p>Renewal of a pharmacy technician license held in another state that requires continuing education for license renewal that is substantially equivalent in subject matter and total amount of required hours to that required in these rules if the licensee resides and practices in another state.</p> <p>If audited, a licensee shall submit to the department proof of current licensure in another state and a copy of a letter or certificate of completion showing all of the following: the licensee's name, number of hours earned, the sponsor's name or the name of the organization that approved the program or activity for continuing education credit, and the date on which the program was held or the activity was completed.</p>	<p>Twenty hours will be earned.</p> <p>A maximum of 20 hours may be earned in each renewal period.</p>
(e)	<p>Initial publication of an article or a chapter related to the practice of pharmacy in either of the following:</p> <ul style="list-style-type: none"> • A pharmacy textbook. • A peer reviewed journal. 	<p>Ten hours will be earned per publication.</p> <p>A maximum of 10 hours may be earned in each renewal period.</p>

	If audited, a licensee shall submit to the department a copy of the publication that identifies the licensee as the author or a publication acceptance letter.	
(f)	<p>Presentation of a continuing education program approved by the board under R 338.3663 or subdivision (a) of this rule that is not a part of the licensee's regular job description.</p> <p>If audited, a licensee shall submit to the department a copy of the curriculum and a letter from the program sponsor verifying the length and date of the presentation.</p>	<p>Two hours will be earned for every 50 minutes devoted to presenting the program.</p> <p>A maximum of 102 hours may be earned in each renewal period.</p>
(g)	<p>Attendance at a pharmacy-related program, that is approved by the board pursuant to R 338.3663.</p> <p>If audited, a licensee shall submit to the department a copy of a letter or certificate of completion showing the licensee's name, number of hours earned, sponsor name or the name of the organization that approved the program or course for continuing education credit, and the date on which the program was held or the activity was completed.</p>	<p>The number of hours earned will be the number of hours approved by the sponsor or the approving organization.</p> <p>If the activity was not approved for a set number of hours, then 1 credit hour for every 50 minutes of participation may be earned.</p> <p>No limitation on the number of hours earned.</p>

R 338.3663 Continuing education **courses and programs**; standards for approval.

Rule 13. ~~(1)~~ A continuing education course or program that is not pre-approved under R 338.3661~~(2)~~ or 338.3662(a) may be approved by the board **pursuant to the standards in R 338.3043 of the Pharmacy-Pharmacist Continuing Education rules.** ~~by the course or program sponsor submitting to the department a completed application on a form provided by the department, no later than 70 days before the course or program date, and no later than 70 days before the next regularly scheduled board meeting. A course or program conducted before board consideration and approval shall be denied approval. The application and supporting documentation must include all of the following information:~~

~~—(a) A course or program schedule that includes all of the following:~~

~~—(i) The date of the course or program.~~

~~—(ii) The topics to be covered in the course or program.~~

~~—(iii) The names of all of the speakers.~~

~~—(iv) Break times.~~

~~—(b) An explanation of how the course or program is designed to further educate pharmacy technicians, including a short narrative describing the program content and the criteria for the selection of this topic.~~

~~—(c) Copies of instructional objectives that have been developed.~~

~~—(d) Copies of all promotional and advertising materials for the course or program.~~

- (e) The name, title, and address of the course or program director and a description of his or her qualifications to direct the course or program.
- (f) A description of how the amount of continuing education credit to be awarded for this course or program was determined.
- (g) A description of how participants will be notified that continuing education credit has been earned.
- (h) A description of the physical facilities, lab, or pharmacy available to ensure a proper learning environment.
- (i) A copy of the curriculum vitae for each instructional staff member.
- (j) A description of the delivery method to be used and the techniques that will be employed to assure active participation.
- (k) A copy of the post-test instrument that will be used for participant evaluation.
- (l) A description of how post tests will be administered, corrected, and returned to participants.
- (m) A description of how post-test performance will influence the awarding of continuing education credit.
- (n) A description of how attendance will be monitored, including sample documents, and the name of the person monitoring attendance.
- (2) A course or program must meet the standards and criteria for an acceptable category of continuing education in effect at the time of application and must be relevant to health care and advancement of the licensee's pharmacy technician education.
- (3) The continuing education course or program approved under subrule (1) of this rule must meet all of the following:
 - (a) Be an organized course or program of learning that contributes to the advancement and enhancement of professional competency and scientific knowledge in the practice of pharmacy and be designed to reflect the educational needs of pharmacy technicians.
 - (b) Have a scientific and educational integrity and contain generally accepted pharmacy practices.
 - (c) Have an outline that demonstrates consistency with the course or program description and reflects the course or program content.
 - (d) Be taught in a manner appropriate to the educational content, objectives, and purpose of the course or program and allow suitable time to be effectively presented to the audience.
 - (e) Provide instructors who have the necessary qualifications, training, and experience to teach the course or program.
 - (f) Provide for active participation and involvement from the participants.
 - (g) Offer educational materials for each continuing education activity that enhances the participant's understanding of the content and foster applications to pharmacy practice.
 - (h) Include learning assessments in each activity that allow pharmacy technicians to assess their achievement of the learned content. Completion of a learning assessment is required for continuing education content.
- (4) Board approval is valid for a 3-year term from the date of the board's approval.
- (5) The board shall reevaluate a course or program before any changes are made during the approval term, including but not limited to, changes to either of the following:
 - (a) Instructors and speakers.
 - (b) Course or program content, title, and number of continuing education hours to be awarded to participants.
- (6) All of the following apply regarding changes to a previously approved course or program:

~~—(a) Subject to subdivision (b) of this rule, all changes to a previously approved course or program must be submitted on required department forms at least 70 days before the date the course or program is offered to participants and at least 70 days before the next regularly scheduled board meeting to be considered for approval by the board. Any changes to a submitted and previously approved course or program, other than those approved under subdivision (b) of this subrule, must not be made to the course or program without prior approval.~~

~~—(b) Emergency changes to instructors and speakers that cannot be submitted to the board at least 70 days before the date of the course or program or at least 70 days before the next regularly scheduled board meeting may be reviewed by the department in consultation with the board chair or a continuing education board committee member if proof that is acceptable to the department and that supports the nature of the emergency is submitted with the change.~~

~~—(c) The specific dates that the course or program will be offered do not require further board approval and may be changed without review by the board if the presentation dates are within the board's original 3 year term of approval.~~

~~—(7) The provider or sponsor of a course or program shall issue certificates or letters of attendance that include all of the following:~~

~~—(a) The name of the sponsor.~~

~~—(b) The name of the course or program.~~

~~—(c) The name of the attendee.~~

~~—(d) The date of the course or program.~~

~~—(e) The continuing education approval number assigned by the department and current approval term.~~

~~—(f) The signature of the person responsible for attendance monitoring and his or her title.~~

~~—(g) The number and type of hours awarded.~~

~~—(8) The provider or sponsor of a course or program shall maintain records of the information contained in subrule (7) of this rule for 5 years after the course or program is offered to participants.~~

~~—(9) The board may revoke the approval status of any approved course or program at any time the course or program fails to comply with these rules.~~

R 338.3665 Performance of activities and functions; delegation.

Rule 15. In addition to performing the functions described in section 17739(1) of the code, MCL 333.17739, a licensed pharmacy technician may also engage in the following tasks, under the delegation and **supervision** of a licensed pharmacist:

(a) Reconstituting non-sterile dosage forms consistent with approved labeling provided by the manufacturer of a commercially available product.

(b) Technology-assisted final product verification, which includes all the following:

(i) **A properly trained pharmacy technician performing final product verification with the use of bar coding or another board approved error prevention technology. A second licensed pharmacy technician verifies the work of the first licensed pharmacy technician to perform final product verification.**

~~—(ii) The first licensed pharmacy technician processes a medication order or prescription.~~

~~—(iii) The first licensed pharmacy technician processes the medication order or prescription using bar coding or another board approved error prevention technology.~~

~~—(iv) A pharmacist verifies the first licensed pharmacy technician's processing of the medication order or prescription.~~

(vii) The ~~second~~ licensed pharmacy technician **providing** ~~technology-assisted~~ final product verification is subject to all of the following requirements:

(A) The licensed pharmacy technician holds a current full pharmacy technician license in this state, not a temporary ~~or limited~~ license.

~~(B) The licensed pharmacy technician performing technology-assisted final product verification has completed a board-approved pharmacy technician program under R 338.3655.~~

~~(CB)~~ The licensed pharmacy technician performing ~~technology-assisted~~ final product verification ~~has~~ **meets 1 of the following:**

(1) Has incurred not less than 1,000 hours of pharmacy technician work experience in the same kind of pharmacy practice site in which the technology-assisted final product verification is performed while ~~he or she~~ **the pharmacy technician** holds a current full pharmacy technician license in this state, ~~not a temporary or limited license, or is in training.~~

(2) Has completed a final product verification training program that includes at least all of the following:

(i) The role of a pharmacy technician in the product verification process.

(ii) The legal requirements and liabilities of a final verification technician.

(iii) How to use technology assisted verification systems.

(iv) The primary causes of medication errors and misfills.

(v) How to identify and resolve dispensing errors.

~~(DC)~~ The practice setting where a licensed pharmacy technician performs ~~technology-assisted~~ final product verification has in place policies and procedures including a quality assurance plan governing pharmacy technician technology-assisted final product verification.

~~(E) The licensed pharmacy technician uses a technology-enabled verification system to perform final product verification.~~

~~(FD)~~ The technology enabled verification system must document and electronically record each step of the prescription process including which individuals complete each step.

~~(GE)~~ A licensed pharmacy technician shall not perform technology-assisted final product verification for sterile or nonsterile compounding.

~~(HF)~~ Technology-assisted final product verification by a licensed pharmacy technician is not limited to a practice setting.

~~(I) Except for a remote pharmacy that is regulated under sections 17742a and 17742b of the code, MCL 333.17742a and MCL 333.17742b, a pharmacy technician shall not participate in technology-assisted final product verification remotely. Technology-assisted product verification must be done on-site.~~

~~(JG)~~ A pharmacist using his or her professional judgment may choose to delegate technology-assisted final product verification after ensuring licensed pharmacy technicians have completed and documented relevant training and education.

(c) Accessing the electronic database of a pharmacy from inside or outside of the pharmacy to perform delegated tasks related to prescription processing functions.

(i) A pharmacy technician performing tasks remotely must be supervised remotely by a licensed pharmacist.

(ii) Remote supervision means that a pharmacist directs and controls the actions of the remote technician using technology to ensure the supervising pharmacist does all the following:

(A) Is readily and continuously available to answer questions, review the practice of the supervised pharmacy technician, provide consultation, review records, and educate the pharmacy technician in the performance of functions.

(B) Is fully responsible for the practice and accuracy of the remote technician.

(C) Has established predetermined procedures and drug protocol.

(iii) Delegated tasks relating to prescription processing functions include but are not limited to the following:

(A) Verification of a patient's medication history.

(B) Data entry.

(C) Claims adjudication.

(D) Handling phone calls.

(E) Processing refill requests.

(F) Technology-assisted final product verification.

(G) Transferring prescriptions for non-controlled substances.