WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Introduced

House Bill 4348

By Delegates Reed, Martin, Westfall, Booth, Worrell, Riley, Pack, Mallow, Mandt, Queen, and Rowan

[Introduced January 24, 2022; Referred to the Committee on Health and Human Resources]

A BILL amend and reenact §30-5-11a of the Code of West Virginia, 1931, as amended, relating to pharmacy technician trainees; amending eligibility requirements to include persons at least 16 years old and enrolled in high school or a post-secondary education institution; and allowing the employment of a pharmacy technician trainee for up to 90 days prior to being registered by the Board of Pharmacy.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. PHARMACISTS, PHARMACY TECHNICIANS, PHARMACY INTERNS AND PHARMACIES.

§30-5-11a. Pharmacy technician trainee qualifications.

(a) To be eligible for registration as a pharmacy technician trainee to assist in the practice of pharmacist care, the applicant shall:

(1) Submit a written application to the board;

(2) Pay the applicable fees;

(3) (A) Have graduated from a high school or obtained a Certificate of General Educational Development (GED), or be at least 16 years old and currently enrolled in high school or in a post secondary education institution, or

(B) Be currently enrolled in a high school competency based pharmacy technician education and training program;

(4) (A) Be currently enrolled in a competency-based pharmacy technician education and training program of a learning institution or training center approved by the board; or

(B) Be an employee of a pharmacy in an on-the-job competency-based pharmacy technician training program.

(5) Not be an alcohol or drug abuser as these terms are defined in §27-1A-11 of this code: *Provided*, That an applicant in an active recovery process, which may, in the discretion of the board, be evidenced by participation in a twelve-step program or other similar group or process, may be considered;

(6) Not have been convicted of a felony in any jurisdiction within ten years preceding the date of application for registration, which conviction remains unreversed;

(7) Not have been convicted of a misdemeanor or felony in any jurisdiction which bears a rational nexus to the practice of pharmacist care, which conviction remains unreversed; and

(8) Have requested and submitted to the board the results of a fingerprint-based state and a national electronic criminal history records check.

(b) Notwithstanding any provision of this chapter to the contrary, a person may be employed as a pharmacy trainee technician in an on-the-job competency-based technician training program immediately upon submission of an application and payment of the applicable fees to the board, for up to 90 days prior to being registered as a pharmacy technician trainee by the board.

~~(b)~~ (c) The rules, authorized duties and unauthorized prohibitions as set out in §30-5-12 of this code for pharmacy technicians apply to pharmacy technician trainees.

~~(c)~~ (d) The board shall promulgate an emergency rule and legislative rule pursuant §29A-2-1 *et seq.* of this code to authorize the requirements of this section to permit pharmacy technician trainees.

NOTE: The purpose of this bill is to amend the eligibility requirements for a pharmacy technician trainee and to allow the employment of a pharmacy technician trainee for up to 90 days before being registered as a pharmacy technician trainee by the board.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.