

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]

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

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

3 (1) Submit a written application to the board;

4 (2) Pay the applicable fees;

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

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

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

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

14 (5) Not be an alcohol or drug abuser as these terms are defined in §27-1A-11 of this code:

15 *Provided*, That an applicant in an active recovery process, which may, in the discretion of the
16 board, be evidenced by participation in a twelve-step program or other similar group or process,

17 may be considered;

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

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

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

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

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

31 ~~(c)~~ (d) The board shall promulgate an emergency rule and legislative rule pursuant §29A-
32 2-1 *et seq.* of this code to authorize the requirements of this section to permit pharmacy technician
33 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.