

2025 -- H 5353 SUBSTITUTE A

LC000768/SUB A/2

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES

Introduced By: Representatives Casimiro, Noret, Spears, Donovan, Speakman, Morales,
Solomon, and Shanley
Date Introduced: February 07, 2025
Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

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- SECTION 1. Chapter 5-19.1 of the General Laws entitled "Pharmacies" is hereby amended
- 2
- by adding thereto the following section:
- 3
- 5-19.1-37. Pharmacy technicians -- Scope of practice -- Pharmacy technician**
- 4
- dispensing process validation within institutional pharmacies.**
- 5
- (a) In accordance with chapter 19.1 of title 5 and adopted by the state board of pharmacy,
- 6
- a pharmacy technician or pharmacy intern may perform technology-assisted dispensing process
- 7
- validation for medications prepared for distribution by another pharmacy technician or intern
- 8
- within an institutional pharmacy.
- 9
- (b) Definitions. For purposes of this section, the following words and terms shall have the
- 10
- following meanings:
- 11
- (1) "Automated storage and distribution devices" means a mechanical device that delivers
- 12
- drugs other than by administration, and uses automated data processing technology to:
- 13
- (i) Provide effective storage and security of drugs contained in the device;
- 14
- (ii) Limit access to authorized individuals;
- 15
- (iii) Record the identity of all personnel who access the drugs stored within the device;
- 16
- (iv) Provide documentation of storage and removal of contents;
- 17
- (v) Provide ongoing documentation that monitors proper delivery of drugs to ensure patient
- 18
- safety; and
- 19
- (vi) Comply with all relevant statutes, rules and regulations.

1 (2) “Controlled substance” means a drug or substance, or an immediate precursor of such
2 drug or substance, so designated under or pursuant to the provisions of chapter 28 of title 21.

3 (3) “Dispensing process validation” means the physical verification that ensures the drug,
4 drug dosage, and drug form selected is the correct drug, drug dosage, and drug form for the purpose
5 for which it was selected. When applicable, dispensing process validation is subject to, and occurs
6 after, licensed pharmacist drug utilization review and clinical conflict resolution.

7 (4) “Institutional pharmacy” means any pharmacy that is located within or off-site, and
8 contracted with, any hospital, clinic or dispensary in which drugs are compounded or dispensed to
9 its patients or patients of another licensed in-patient healthcare facility with whom it has a contract.

10 (5) “Supervision” means oversight and control by a licensed pharmacist who is responsible
11 for work performed by pharmacy technicians and pharmacy interns.

12 (6) “Technology” means an electronic system designed to achieve accuracy in drug product
13 identity verification including, but not limited to, barcode scanning and radio frequency
14 identification (RFID).

15 (c)(1) With regard to activities authorized, acting in compliance with this section, a licensed
16 pharmacist may delegate, and a pharmacy technician or pharmacy intern may perform under the
17 supervision of the pharmacist, technology-assisted dispensing process validation of medications
18 prepared for distribution by another pharmacy technician or pharmacy intern when such medication
19 will be administered to the patient by a licensed health care professional, including:

- 20 (i) Patient-specific medication orders;
21 (ii) Automated storage and distribution devices stock;
22 (iii) Repackaged medication from bulk to unit-of-use doses; and
23 (iv) Emergency kits.

24 (2) Acting in compliance with this section, a licensed pharmacist shall not delegate
25 dispensing process validation for:

- 26 (i) Controlled substances; or
27 (ii) Compounded products (whether sterile or non-sterile) unless the compounded products
28 have been previously verified by a licensed pharmacist (e.g., previously batched compounded
29 product).

30 (3) In delegating activities under this section, a licensed pharmacist shall use reasonable
31 professional judgment and shall ensure that authorized activities do not require the exercise of
32 discretion or clinical judgment by the pharmacy technician or pharmacy intern.

33 (d)(1) With regard to quality and control, the institutional pharmacy where activities
34 authorized in this section are conducted shall:

- 1 (i) Document a pharmacy technician or pharmacy intern dispensing process validation
2 policy and procedure;
- 3 (ii) Maintain an institutional pharmacy-specific training program including a record of
4 pharmacy technicians and/or pharmacy interns trained; and
- 5 (iii) Maintain a continuous quality assessment system to periodically verify the accuracy
6 of the pharmacy technician or pharmacy intern dispensing process validation, including:
- 7 (A) Recording any errors which reach the patient;
8 (B) Recording any quality related events; and
9 (C) Specific limits of acceptable quality related event levels before reassessment.
- 10 (2) No pharmacy technician or pharmacy intern shall engage in authorized activities
11 without documentation of training.
- 12 (e) The pharmacist-in-charge is responsible for ensuring that delegation of technology-
13 assisted dispensing process validation of medications by a licensed pharmacist under this section
14 does not lead to medication errors.
- 15 (f) With regards to rules and regulations, the board of pharmacy shall make, adopt, amend,
16 and repeal such rules and regulations as may be deemed necessary by the board from time to time
17 for the proper administration and enforcement of this section. Such rules and regulations shall be
18 promulgated in accordance with the procedures specified in chapter 35 of title 42 ("administrative
19 procedures").

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO BUSINESSES AND PROFESSIONS -- PHARMACIES

- 1 This act would authorize a pharmacy technician or pharmacy intern to perform technology-
2 assisted dispensing process validation for medications prepared for distribution by another
3 pharmacy technician or intern within an institutional pharmacy.
4 This act would take effect upon passage.

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