



Missouri



**Pharmacy Technician
Informational Guide**

Missouri Board of Pharmacy
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The Missouri Pharmacy Technician Informational Guide is provided for informational purposes only. The Informational Guide does not constitute a comprehensive review of all governing law or controlled substance requirements. To ensure compliance, registrants should thoroughly review Chapter 338, RSMo, 20 CSR 2220 and all applicable state and federal laws. The Informational Guide does not constitute a rule statement of general applicability or binding law. In the event of a conflict or inconsistency, duly promulgated or enacted state or federal law shall control. The Board expressly reserves the right to revise the contents as deemed appropriate or necessary. Questions regarding this document may be addressed to the Board office.

What is a “Pharmacy Technician”?

A pharmacy technician is any person who assists a pharmacist in the practice of pharmacy, including any person who assists a pharmacist by performing routine functions related to receiving, preparing, compounding, distributing or dispensing medication. This would include:

- Accepting written prescriptions;
- Accepting or recording telephone prescriptions when a pharmacist is present;
- Entering prescription information into the pharmacy’s prescription records;
- Counting, pouring, preparing or compounding medication;
- Accepting or clarifying prescription information with a prescriber;
- Labeling prescription containers; and
- Stocking or restocking the drug inventory.

A pharmacy technician registration is also required if you will have independent access to prescription drugs on a routine basis.

This list includes some of the most common examples and is not complete. A pharmacy technician registration may still be required even if you perform activities that are not listed above. Pharmacy technicians **MUST** be under the direct supervision of a pharmacist at all times.

How Do I Get Registered?

To obtain a Missouri pharmacy technician registration, you must:

- Submit a pharmacy technician application to the Board (*available on the Board’s [website](#)*)
- Pay the required application fee; and
- Submit to a criminal background check by getting fingerprinted at a Board approved fingerprint vendor. (*A fingerprint fee must be paid to the Board approved vendor. This fingerprint fee is paid directly to the vendor and is different from your pharmacy technician application fee.*)

When Can I Start Working?

You can begin working if:

- You’ve been fingerprinted by the Board’s approved vendor and paid the fingerprint fee, and
- You’ve submitted a completed Missouri technician application that includes your photo, application fee and a receipt showing that you’ve paid to be fingerprinted. Your fingerprint registration page is insufficient if it does not show your payment.

A copy of your application and fingerprint receipt must be kept at the pharmacy. A Board inspector will ask to see either your registration or the copy of your application when the pharmacy is inspected.

Do I Need To Be Certified?

Missouri law does not require technicians to be certified. However, your employer may require that you become certified. Technician certification is handled by private entities and not the Board. The Board cannot provide information or advice on obtaining or renewing your pharmacy technician certification.

When Do I Renew My Registration?

The Board annually sends out renewal information in March. Your registration must be renewed before May 31st of each year. You cannot continue working after May 31st if your registration has not been renewed.

What If My Registration Has Already Expired?

If your registration has expired, you must stop working immediately. You cannot continue working until your license has been renewed or a new application has been submitted to the Board.

What is a “Pharmacist-in-Charge”?

The pharmacist-in-charge or “PIC” is responsible for supervising and operating the pharmacy.

What Activities Can I Perform?

Your pharmacist-in-charge will identify what activities you are allowed to perform. Generally, Missouri law allows a technician to assist a pharmacist with any portion of pharmacy practice that is allowed by the pharmacist-in-charge. However, except for limited circumstances in Class L Veterinary pharmacies, a pharmacist must verify and check all medication before it is dispensed.

The following list includes a few examples of activities a technician may perform under the supervision of a pharmacist, if allowed by the pharmacist-in-charge:

(This list is provided for informational purposes only and does not include all activities that a technician may be allowed to perform by the pharmacist-in-charge.)

- Stocking/restocking drug inventory
- Accepting written prescriptions
- Accepting or recording telephone prescriptions when a pharmacist is present
- Entering prescription information into the pharmacy’s prescription records
- Counting, pouring, preparing, compounding or reconstituting medication
- Accepting or clarifying prescription information with a prescriber
- Labeling prescription containers
- Stocking or restocking the drug inventory
- Providing prescriptions that have been checked by a pharmacist to the patient

However, technicians cannot perform any of the following activities:

- Immunize or administer medication
- Provide, accept or receive a controlled substance prescription transfer (*this must be communicated between pharmacists*)
- Perform any act that requires the professional judgment of a pharmacist; and
- Counsel a patient.

Technicians cannot perform any of the above activities even if a pharmacist or pharmacist-in-charge allows you to.

What Can I Do When A Pharmacist Is Not In The Pharmacy?

Once again, pharmacy technicians must be under the direct supervision of a pharmacist at all times. Technicians cannot work or assist in the practice of pharmacy when a pharmacist is not present. For example, when no pharmacist is present, a technician may not:

- Take telephone prescription orders;
- Stock/restock pharmacy inventory;
- Fill compound, label, count or prepare a prescription, or
- Sell, dispense or distribute a prescription. The prescription cannot be sold or dispensed even if the prescription has already been checked by a pharmacist. (*This list is not exhaustive*).

To assist patients who may be waiting, the Board has determined that a technician may accept a written prescription from the patient when a pharmacist is absent (i.e., the patient physically hands the technician a written paper prescription). However, the written prescription cannot be filled, entered into the pharmacy's prescription records or dispensed/sold to the patient unless a pharmacist is present. This allowance applies to written prescriptions only.

Compliance with Missouri law is mandatory. Technicians may not assist in the practice of pharmacy without a pharmacist present, even if a supervising pharmacist or the pharmacist-in-charge tells you to.

Patient Confidentiality

As a technician, you will likely handle a lot of confidential patient information. Both state and federal law prohibit a technician from disclosing, accessing or using confidential patient information without a legitimate business purpose. This would include looking at a patient's medical information for personal use or discussing patient information outside of the pharmacy.

Talk with your pharmacist-in-charge for more information about what patient information is considered confidential. Improperly disclosing, accessing or using confidential information could result in discipline.

Top Compliance Violations

This list reflects the most commonly observed pharmacy technician compliance violations. This list does not include all possible violations. The list is random and not in any specific order:

- ***Working with an expired or suspended technician registration.*** This violation most commonly occurs with technicians that have been suspended for failing to pay state taxes who continue working (See "*Important Tax Information*" section below). Tax deficiency notices should be taken seriously. Failure to comply will result in your registration being automatically suspended. Questions about making payment arrangements or paying outstanding taxes should be directed to the Missouri Department of Revenue at (573) 751-7200 or income@dor.mo.gov.
- ***Stealing or diverting medication.*** Taking or using prescription medication without a valid prescription is a state and federal crime that could result in incarceration as well as disciplinary action by the Board.
- ***Testing positive on an employer drug screen without a valid prescription or refusing to take an employer drug test when requested.*** Once again, testing positive for an illegal drug or taking a prescription drug without a valid prescription constitutes grounds for discipline. The Board has also disciplined technicians for refusing to take an employer drug screen without sufficient cause.
- ***Dispensing errors.*** The Board continues to see technician errors involving prescriptions being sold to the wrong patient after the prescription has been checked by a pharmacist. In most cases, the technician dispensed the prescription without verifying or reading the name on the label to make sure the prescription

was for the right patient. This violation could cause patient harm and may result in confidential medication being released to the wrong patient.

- **Criminal convictions.** Disciplinary action may be taken by the Board for criminal convictions received before or after you are registered. This includes crimes that are not drug related (i.e., DUIs, theft, shoplifting, assault).

How You Can Help Prevent Medication Errors

Pharmacy technicians are a key part of providing safe health care. Medication errors cause unnecessary medical consequences. Under the supervision of a pharmacist, you can help ensure that the **right drug** is given to the **right patient** at the **right time**.

Talk with your pharmacist-in-charge about how you can help prevent medication errors. A few suggestions include:

- **When in doubt ask!** Whether you're a new technician or have been working for years, pharmacy terms and technology are constantly changing. If you have questions, can't read a prescriber's handwriting or are unsure about something, ask a pharmacist. **Don't assume....ask!**
- **Look Again!** Medication and patient names can easily sound or look alike. Don't just look at the color of the container or assume an item was placed on the shelf correctly. Read labels and names out loud. This simple step could prevent a mix-up.
- **Slow Down and Stay Focused.** The Board continues to see errors that were caused by technicians who were simply moving too quickly. Between phones, filling prescriptions and talking to patients, a pharmacy can be a busy place. However, patients are counting on you. A mistake could have serious consequences! **Slow down, stay focused and be safe.**
- **Drug Alerts.** Many pharmacy computer systems will alert you if a medication may not be appropriate for a patient or if there are other medical concerns/questions (i.e., a drug interaction, duplicate therapy, drug allergy, excessive dose). These alerts should be brought to the attention of a pharmacist and should only be reviewed and cleared by a pharmacist.

To hear a patient's perspective on preventing medication errors, the Board encourages you to view the Christopher Jerry story online at http://www.youtube.com/watch?v=9jmULQ_m04o.

How You Can Help Prevent Prescription Fraud

Prescription fraud can lead to prescription drug abuse and other illegal activity. As a pharmacy technician, you may be the first to recognize a suspicious prescription. There are several types of fraudulent prescriptions:

- A forged prescription that is written on a form or a prescription pad that was stolen from the prescriber.
- A prescription that was legitimately issued but has been changed or altered. For example, the patient may increase the quantity from 15 to 150.
- A prescription that is fraudulently phoned into the pharmacy by someone pretending to be a physician, nurse or from a doctor's office.
- A fake prescription that a forger or drug seeker may have created and printed on their own.

If you suspect a fraudulent prescription, talk with a pharmacist or the pharmacist-in-charge. A few things to look for or ask:

- Does the prescription look unusual? Are the abbreviations, directions or other wording normal?
- Does the prescription make sense? A prescription with directions to refill "ASAP" should probably be questioned.
- Are the quantities or directions normal based on other prescriptions?

- Is the quantity unusually large? Does the quantity match the directions? A prescription authorizing a 30-day supply of 240 tablets with directions to take 4 tablets a day may be questionable.
- Does the prescription look like it's been erased, photocopied or whited-out? Dust or black dots may be evidence of a photocopy.
- Does the prescription have obvious misspellings or other errors? Is the doctor's name or the drug spelled correctly? (i.e., "dyeazepam")
- Have other patients presented similar prescriptions from the same prescriber or clinic within a short period of time?
- Is the prescriber located a significant distance away from Missouri? While a controlled substance prescription from Arkansas or Kansas may be normal in some areas, multiple prescriptions from Florida or New York within a short period of time should raise concerns.

What Should I Do If I Suspect Someone Is Acting Illegally?

The Board suggests that you report your suspicions to the pharmacist-in-charge or pharmacy management.

If you believe someone has violated pharmacy law, you may file a complaint with the Board. Complaint forms are available online at http://pr.mo.gov/boards/pharmacy/375-0428_UCR.pdf. Please note, the Board can only address complaints involving violations of § 338.055, RSMo, and the Missouri Pharmacy Practice Act. **The Board cannot resolve personnel issues that are unrelated to matters under the Board's jurisdiction.**

Can My Registration Be Disciplined?

Yes. Section 338.013, RSMo, authorizes the Board to take two different types of technician disciplinary actions: (1) placing a technician on the "Employment Disqualification List" or (2) issuing a "conditional registration."

Pharmacy technicians on the Employment Disqualification List, or "EDL", are prohibited from working as a technician in the state of Missouri. Technicians issued a conditional registration are authorized to work subject to conditions established by the Board.

Section 338.055, RSMo, contains a detailed list of reasons for discipline. Technicians and new applicants should read the entire list. In the past, the Missouri Administrative Hearing Commission has found legal grounds for the Board to impose discipline under § 338.055, RSMo, for the following types of conduct:

- Practicing without a license or registration
- Falsifying prescriptions
- Altering a prescription without authorization
- Diverting medication
- Dispensing without a valid prescription
- Stealing/theft of merchandise, gift cards, food or other items
- Violation of state/federal controlled substance laws
- Dispensing medication without the supervision of a pharmacist
- Impairment/Illegal drug use
- Submitting a false license application
- Allowing unlicensed technicians or interns to practice
- Previous criminal history.

*(This list is provided for informational purposes only
and is not a complete list of all conduct that could result in disciplinary action)*

What is the Employee Disqualification List (EDL)?

Once again, the Board may place a technician or an applicant on the EDL if the technician has committed any act which constitutes grounds for discipline under § 338.055, RSMo. Technicians or new applicants on the EDL are prohibited from working as a technician in the state of Missouri.

What Is A Conditional Registration?

Technicians issued a conditional registration are authorized to work subject to conditions established by the Board. Failure to follow the Board's conditions may result in additional discipline, including, but not limited to, being placed on the EDL and prohibited from working as a technician.

What If I Have Criminal Charges?

The Board may deny or discipline a technician registration if:

(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under this chapter, for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed.

The crime/charge does not have to be drug or alcohol related.

A criminal charge does not mean that you will automatically be denied or disciplined. The Board considers each application and criminal history report on a case-by-case basis. The Board will look at a variety of factors, including, but not limited to, the nature and severity of the crime, the length of time since the crime occurred, if probation or other criminal punishment was successfully completed and any other evidence of rehabilitation.

If you have a criminal charge, you should provide a full description of the circumstances surrounding the offense as well as any information that shows why you should be licensed. This could include information regarding your activities since the conviction such as any educational achievements, extracurricular activities, related job history or any rehabilitation, therapy or support group attendance (i.e., NA, AA, Al-Anon, etc.)

You must provide full and accurate information about your criminal history on a new or renewal application. The Board has denied and disciplined technicians for not providing truthful criminal history information.

Important Information About SIS and SES Charges

Under § 338.055, the Board may deny an application or discipline a technician even if the technician received a Suspended Imposition of Sentence ("SIS") or a Suspended Execution of Sentence ("SES").

The Board asks about criminal history on both new and renewal applications. An attorney may advise you that you do not have to report or disclose SIS or SES information. However, the Board has access to both SIS and SES records. **You must answer "yes" to a criminal history question even if you received an SIS or SES.**

Additional Information About Drug Charges

Under state and federal law, your employer may be required to obtain an employment waiver if you have been convicted of certain controlled substance related crimes.

Specifically, a waiver is required from the federal Drug Enforcement Administration (DEA) if you have a felony controlled substance related conviction. A waiver from the Missouri Bureau of Narcotics and Dangerous Drugs (BNDD) is required if you've been convicted of any felony **or** misdemeanor controlled substance charges. You may not work as a pharmacy technician without a required waiver.

Current technicians and new technician applicants with controlled substance related convictions/charges should consult with your legal counsel. **Even if your registration is issued by the Board or the Board votes not to impose discipline, you may not be able to work as a pharmacy technician without a waiver.**

Questions about obtaining a BNDD or DEA waiver should be addressed to:

Missouri Bureau of Narcotics and Dangerous Drugs (BNDD)

P.O. Box 570, Jefferson City, MO 65109 (573) 751-6321

bndd@health.mo.gov

U.S. Drug Enforcement Administration (DEA)

7600 College Blvd., Suite 100, Overland Park, KS 66210 (913) 951-4100

or

317 South 16th Street, St. Louis, MO 63103

(314) 538-4600 or (888) 803-1179

Important Tax Information (HB 600)

All persons and business entities licensed with the Division of Professional Registration are required to have paid state taxes and also are required to have filed all necessary state income tax returns for the preceding three years. If you have failed to pay your taxes or have failed to file your Missouri tax returns, your registration will be subject to suspension within 90 days of being notified by the Missouri Department of Revenue of any delinquency or failure to file.

If you are suspended, you are prohibited from working as a pharmacy technician until you submit a tax compliance letter to the Board from the Department of Revenue showing that you have made arrangements with the Department of Revenue or showing that your outstanding taxes have been paid. **The Board cannot answer tax compliance questions.** Instead, tax questions must be submitted to the Missouri Department of Revenue at (573) 751-7200 or by e-mailing income@dor.mo.gov.

Questions

Questions about your pharmacy technician registration can be submitted to the Board at (573) 522-2425 or by e-mailing technician@pr.mo.gov. Compliance questions should be submitted to (573) 751-9056 or compliance@pr.mo.gov. Due to the volume of calls, e-mail inquiries are preferred.