

The Senate Committee on Health and Human Services offered the following substitute to SB 491:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 26-4-82 of the Official Code of Georgia Annotated, relating to
2 duties requiring professional judgment and responsibilities of a licensed pharmacist, so as
3 to authorize the Georgia State Board of Pharmacy to increase the maximum ratio of
4 pharmacists to pharmacy technicians in closed-door pharmacies; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7
8 Code Section 26-4-82 of the Official Code of Georgia Annotated, relating to duties requiring
9 professional judgment and responsibilities of a licensed pharmacist, is amended by revising
10 subsection (d) as follows:

11 "(d) The board of pharmacy shall promulgate rules and regulations regarding the activities
12 and utilization of pharmacy technicians in pharmacies, including the establishment of a
13 registry as required in paragraph (7) of subsection (a) of Code Section 26-4-28; provided,
14 however, that the pharmacist to pharmacy technician ratio shall not exceed one pharmacist
15 providing direct supervision of four pharmacy technicians. The board may consider and
16 approve an application to increase the ratio in a pharmacy located in a licensed hospital or

17 in a closed-door pharmacy. Such application must be made in writing and must be
18 submitted to the board by the pharmacist in charge of a specific hospital pharmacy in this
19 state or a specific closed-door pharmacy. At any time during which the pharmacist directly
20 supervises four or more pharmacy technicians, two of such technicians must be certified.
21 At any time during which the pharmacist directly supervises three pharmacy technicians,
22 one of such technicians must be certified. No certification is required for pharmacy
23 technicians in pharmacies at any time during which the pharmacist directly supervises one
24 or two pharmacy technicians. In order to be certified, pharmacy technicians must:

- 25 (1) Have successfully passed a certification program approved by the board of pharmacy;
26 (2) Have successfully passed an employer's training and assessment program which has
27 been approved by the board of pharmacy; or
28 (3) Have been certified by either the Pharmacy Technician Certification Board or any
29 other nationally recognized certifying body approved by the board of pharmacy.

30 As used in this subsection, the term 'closed-door pharmacy' means a pharmacy that
31 provides specialized services and is not open to the general public."

32 **SECTION 2.**

33 All laws and parts of laws in conflict with this Act are repealed.