

**ALASKA BOARD OF PHARMACY**

**POSITION STATEMENT: Unlicensed Duties versus Pharmacy Technician**

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**Date:** December 4, 2020

**Status:** New

**Organized by:** Alaska Board of Pharmacy

**Adopted by:** Alaska Board of Pharmacy

**Statutory and/or Regulatory Reference:** Article 2, Personnel: 12 AAC 52.230

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**PURPOSE:**

The purpose of this statement is to clarify whether cashiers, delivery drivers, or bookkeepers are required to obtain a pharmacy technician license.

**STATEMENT:**

It is the intent of the Board of Pharmacy “the board” that cashiers, prescription drug delivery drivers, and bookkeepers do **not** need to obtain a pharmacy technician license so long as their duties are limited to specific roles and responsibilities. If these duties extend to the “practice of pharmacy” as defined in AS 08.80.480(30), the employee must apply for and be issued a pharmacy technician license.

**HISTORY:**

The board has discussed these roles on the record during previous meetings, including at its emergency meeting on March 27, 2020, at which time the board pursued a regulatory amendment which removed “including a cashier or a bookkeeper” from the pharmacy technician licensure regulation, 12 AAC 52.230. This emergency regulation became effective on April 3, 2020, and was adopted as a permanent regulation on August 30, 2020; however, recognizing gray areas on the definitions of “delivery”, “dispensing”, and “practice of pharmacy” as it relates to limitations for acceptable unlicensed technician duties, the board continued to address this topic.

At the board’s November 7, 2020 meeting, AAG Harriet Dinegar-Milks offered advice that, based on statutory definitions of “delivery”, “dispensing”, and “practice of pharmacy”, it was reasonable to conclude these positions would not require a pharmacy technician license if the board wished to remove the pharmacy technician licensure requirement. Similarly, it would be reasonable to also consider placing an “exclusion” of these roles within 12 AAC 52.230. In addition, it would be reasonable for the board to amend the regulation to make it clear for the public and licensees. All of these represent reasonable options that the board has the authority to consider.

As discussed at the board’s December 4, 2020 meeting, the board’s overall intent is that a bookkeeper or any person whose only function is to give a completed prescription drug order to a patient or patient’s agent does not require a pharmacy technician license.

**SUPPORTIVE MATERIAL:**

[March 2020, Alaska Board of Pharmacy Meeting Minutes](#)

[May 2020, Alaska Board of Pharmacy Meeting Minutes](#)

[November 2020, Alaska Board of Pharmacy Meeting Minutes](#)

December 2020, Alaska Board of Pharmacy Meeting Minutes – not available at the time of this publication.

They can be found on the Alaska Board of Pharmacy website when available.

**SUMMARY:**

Based on board discussion and Assistant Attorney General assistance in statutory and regulatory interpretation it is the intent of the board that a cashier, bookkeeper, or prescription drug delivery driver do **not** require a pharmacy technician license provided they do not participate in the practice of pharmacy.