

Dear Senators LODGE, Broadsword & Werk, and
Representatives BLOCK, Nielsen & Henbest:

The Legislative Services Office, Research and Legislation, has received the enclosed
rules of the Bd. of Pharmacy:

IDAPA 27.01.01 - Rules of the Idaho State Board of Pharmacy (Docket No. 27-0101-0811).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by
the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice
to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis
from Legislative Services. The final date to call a meeting on the enclosed rules is no later than
10-29-08. If a meeting is called, the subcommittee must hold the meeting within forty-two (42)
days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting
on the enclosed rules is 11-27-08.

_____The germane joint subcommittee may request a statement of economic impact with
respect to a proposed rule by notifying Research and Legislation. There is no time limit on
requesting this statement, and it may be requested whether or not a meeting on the proposed rule
is called or after a meeting has been held.

To notify Research and Legislation, call 334-2475, or send a written request to the
address or FAX number indicated on the memorandum enclosed.

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Health & Welfare Committee

FROM: Research & Legislation Staff - Paige Alan Parker

DATE: October 9, 2008

SUBJECT: Board of Pharmacy - IDAPA 27.01.01 - Rules of the Idaho State Board of Pharmacy (Docket No. 27-0101-0811 (Proposed))

The Board of Pharmacy submits Docket No. 27-0101-0811 (hereinafter “proposed rule”), amending the Board’s rules found at IDAPA 27.01.01. According to the Board, the proposed rule is authorized pursuant to sections 37-2715 and 54-1717, Idaho Code.

Chapter 27, title 37, Idaho Code is the Uniform Controlled Substances Act. Section 37-2715, Idaho Code, permits the Board to promulgate rules relating to the dispensing of controlled substances within Idaho. Sections 54-1701 to 54-1726, 54-1728 to 54-1739, 9-1701 and 9-1702, Idaho Code, are the components of the Idaho Pharmacy Act. Section 54-1717, Idaho Code, provides general rulemaking authority for the Board of Pharmacy.

According to the Board, the proposed rule provides a number of clarifications and changes regarding pharmacy technicians.

According to the Board, no fee or charge is imposed by the temporary and proposed rule. The Board states that there is no anticipated impact to the general fund greater than \$10,000 during the fiscal year as a result of the temporary and proposed rule. According to the Board, negotiated rulemaking was not conducted because of the simple nature of the rulemaking. The Board states that public hearing(s) will be scheduled if requested in writing by 25 persons, a political subdivision, or an agency, not later than October 15, 2008. All written comments must be delivered to the Board on or before October 22, 2008.

ANALYSIS

The proposed rule carries forward terminology usage present in other proposed rules that used the terms “pharmacist-in-charge” in place of “pharmacist” and “student pharmacist” in place of “extern/intern.”

The proposed rule modifies the definition of “pharmacy technician” to stress that the duties performed by the technician are under the supervision of a licensed pharmacist and are within the individual’s training. Deleted by the proposed rule is the requirement that the training be in accordance with the written standards of the pharmacy that are available to the Board for inspection and approval. Section 251.01.a. Pharmacy technicians in training are subject to discipline by the Board to the same extent and in the same manner as pharmacy technicians. Section 251.05.d.

The proposed rule also provides a new definition for “pharmacy technician in training” as an individual who (subsequent to June 30, 2009) registers with the Board, for a one year period and who may, under the supervision of a licensed pharmacist, assist in the pharmacy and perform any of the duties of a registered pharmacy technician while so registered. Section 251.01.b. Under the proposed rule, the pharmacy technician in training is included, along with the pharmacist technician, as a person who:

- (1) may perform function in connection with the preparing, compounding, distribution or dispensing of medications at the pharmacy, section 251.02.a;
- (2) may perform the designated functions which meet all of the specified criteria, section 251.02.b;
- (3) is subject to the supervision of a registered pharmacist, section 251.02.c.viii;
- (4) must be supervised by a licensed pharmacist, section 251.03;
- (5) is required to perform all functions properly assigned to them and who must be employed or otherwise authorized by the assigning pharmacy, section 251.05.a;
- (6) may be subject to proceedings initiated by the Board, section 251.05.b;
- (7) is required to wear designated identification while working in a community pharmacy and is subject to the institutional setting exception, section 251.06.a; and
- (8) is required to identify themselves according to their status in phone calls, section 251.06.b.

The proposed rule prohibits a pharmacy and pharmacist-in-charge from permitting any person other than a licensed pharmacist, registered student pharmacist, registered pharmacy technician or registered pharmacy technician in training to work in the secured area of the pharmacy. Section 251.02.a.

The ratio of pharmacists to student pharmacists, pharmacy technicians and pharmacy technicians in training has been changed from 1:3 to 1:6, with the caveat that no pharmacy or pharmacist-in-charge may permit the pharmacy to operate with a ratio which, under the

circumstances, would result or reasonably result in an unreasonable risk of harm to public health, safety and welfare. Section 251.04.

The proposed rule clarifies the annual pharmacy technician registration requirements to provide that the pharmacy technician must meet all Board requirements for registration, submit the annual renewal application in the form prescribed by the Board and pay the renewal fee as specified by the Board. The proposed rule deletes the requirement that the Board mail the annual registration notice and registration form to all registered pharmacy technicians prior to June 1 of each year. Section 251.07.a

The proposed rule rewrites the registration requirements of pharmacy technicians and includes new registration requirements for pharmacy technicians in training. For pharmacy technicians, the proposed rule distinguishes between registrations prior to July 1, 2009, and those after. The only difference is that those registering after July 1, 2009, must have obtained and maintained certification as a pharmacy technician by the Pharmacy Technician Certification Board, the Institute for Certification of Pharmacy Technicians, or such other certifying organization approved by the Board. Sections 251.07.b.ii(5) and 251.07.e. Pharmacy technicians who have registered with the Board prior to June 30, 2009, are not required to obtain and maintain certification as a pharmacy technician in order to maintain or renew such registration as long as the person remains continuously so employed by the same pharmacy. If these conditions are not met, the person's pharmacy technician registration automatically terminates and the post June 30, 2009, registration requirements must be met. Section 251.07.f.

Pre and post July 1, 2009, registration requirements in common are: minimum of 18 years of age (unless waived by the Board's executive director); high school diploma or equivalent (unless waived); good moral character and temperate habits; submission of a Board prescribed written application; and payment of the registration fee. Sections 251.07b.i and ii.

A one-time election is permitted for pharmacy technicians who are registered with the Board prior to June 30, 2009, to register as a pharmacy technician in training at the first opportunity thereafter. Section 251.07.b.iii. A person may register as a pharmacy technician in training after June 30, 2009, if the person meets the pre July 1, 2009, requirements for a pharmacy technician and pays the Board specified registration fee. However, this pharmacy technician in training registration expires after one year and is not renewable. Thereafter, the registrant must meet the post July 1, 2009, pharmacy technician registration requirements. Section 251.07.c.

No person whose license has been denied, revoked, suspended or restricted for disciplinary purposes is eligible to be registered by the Board as a pharmacy technician or pharmacist technician in training. Section 251.07.d.

Under the proposed rule, the Board prepared annual and initial registration forms for pharmacy technicians and pharmacy technicians in training need not include a statement of the pharmacy owner and of the pharmacist-in-charge that the registration applicant has been adequately trained in specified areas, possesses adequate training to perform the routine functions

in connection with the specified areas, or will be adequately so trained prior to the assignment of those routine functions. Section 251.07.g.

SUMMARY

The Department's proposed rule change appears to be authorized under section 54-1717, Idaho Code.

cc: Idaho State Board of Pharmacy
Mark D. Johnston

IDAPA 27 - BOARD OF PHARMACY

27.01.01 - RULES OF THE IDAHO BOARD OF PHARMACY

DOCKET NO. 27-0101-0811

NOTICE OF RULEMAKING - PROPOSED RULE

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 37-2715 and 54-1717, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than October 15, 2008.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

Based on input that the Board has received from various constituents and constituent groups, the Board believes it is in the best interest of the public health, safety, and welfare to consider changes in the rules for pharmacy technicians to require minimum age, education, and other requirements for registration by the Board as pharmacy technician; to require certification of pharmacy technicians; to clarify who may work within the area that constitutes a "pharmacy," to increase the permissible ratio of pharmacists to pharmacy technicians in any practice setting, and to address other matters related to the technician ratio. The proposed rulemaking amends IDAPA 27.01.01.251 and its subparagraphs to specify the conditions for registration as a pharmacy technician, including, but not limited to, minimum age and education requirements; to require certification of pharmacy technicians; to designate certification entities acceptable to the Board; to provide time frames for a persons currently uncertified but registered as a pharmacy technician to meet certification requirements; to provide a "grandfathering" mechanism for some registered but uncertified pharmacy technicians to retain their registrations, under certain circumstances, without having to become certified; to clarify that all person working in a pharmacy "behind the counter," i.e., within the area of the "pharmacy" must be either a licensed pharmacist, a student pharmacist, or a registered pharmacy technician; to increase the permissible pharmacist to pharmacy technicians ratio in any practice setting from 3 to 1 to 6 to 1; to provide for how student pharmacists affect and pharmacist's lunch break or other breaks affects the ratio; to protect a pharmacist-in-charge from being coerced or otherwise compelled by the pharmacy employer to utilize a pharmacist to pharmacy technician greater than 3 to 1 in the pharmacy where the practice setting is such that a ratio greater than 3 to 1 would pose an unreasonable risk of harm to the public health, safety, and welfare; and to impose grounds for administrative discipline and sanctions against the pharmacy registration of a pharmacy employer who has coerced or otherwise compelled a pharmacist-in-charge to utilize a pharmacist to pharmacy technician ratio that posed an unreasonable risk of harm to the public health, safety, and welfare.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year resulting from this rulemaking: None.

NEGOTIATED RULEMAKING: Pursuant to 67-5220(1), Idaho Code, negotiated rulemaking was not conducted because of the simple nature of the rulemaking.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Mark Johnston, R.Ph., Executive Director, (208) 334-2356.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before October 22, 2008.

DATED this 15th day of August, 2008.

Mark D. Johnston, R.Ph.
Executive Director
Idaho Board of Pharmacy
3380 Americana Terrace, Ste. 320
P. O. Box 83720
Boise, ID 83720-0067
Phone: (208) 334-2356
Fax: (208) 334-3536

THE FOLLOWING IS THE TEXT OF DOCKET NO. 27-0111-0811

251. PHARMACY TECHNICIANS.

01. Definitions.

a. Pharmacy Technician. Means an individual, who is registered with the Board and who is employed or otherwise authorized by a pharmacy registered with the Board to ~~may, under the supervision of a licensed pharmacist, assist in the pharmacy and perform routine such functions, that do not require the use of a licensed pharmacist's professional judgment,~~ in connection with the preparing, compounding, distribution or dispensing of medications ~~at such pharmacy, and who has been adequately trained therefor according to the written standards of such pharmacy. Such written standards shall be available to the Board and its designated personnel for inspection or approval, or both~~ as are routine, do not require the professional judgment of a licensed pharmacist, and are within the individual's training. (5-3-03)()

b. Pharmacy Technician in Training. Means an individual who registers with the Board subsequent to June 30, 2009, as a pharmacy technician in training and whose registration expires automatically one (1) year from the date of registration, but who may, under the supervision of a licensed pharmacist, assist in the pharmacy and perform any of the duties of a registered pharmacy technician during the one (1)-year period of registration. ()

02. Responsibility of Pharmacy and Pharmacist-in-Charge -- Assignment of Functions. (4-5-00)()

a. The pharmacy and the pharmacist-in-charge are each responsible for all aspects of the sale at retail and the dispensing of medications, drugs, devices, and other materials at the pharmacy, including the preparing, compounding, distribution or dispensing of medications. No pharmacy or pharmacist-in-charge ~~may allow shall~~ assignment to, or permit performance by, any ~~individual person,~~ other than a registered pharmacy technician, ~~a registered pharmacy technician in training,~~ registered student pharmacist ~~extern/intern,~~ or a licensed pharmacist, of any functions connected to the preparing, compounding, distribution or dispensing of medications at the pharmacy. No pharmacy or pharmacist-in-charge shall permit any person other than a licensed pharmacist, registered student pharmacist, registered pharmacy technician, or registered pharmacy technician in training to work in the secured area of the pharmacy where medications are prepared, compounded, distributed, dispensed, or stored. (5-3-03)()

b. The pharmacy or the pharmacist-in-charge may assign to, or allow performance by, a registered pharmacy technician or registered pharmacy technician in training only those functions connected with the preparing, compounding, distribution or dispensing of medications, which meet all of the following criteria: (5-3-03)()

- i. The function is routine; (4-5-00)
- ii. The function is one for which the pharmacy technician or pharmacy technician in training is

adequately trained and supervised; and (4-5-00)()

iii. The function does not require the use of a licensed pharmacist's professional judgment. (4-5-00)

c. Only a registered pharmacist may do any of the following (which, without limiting the scope of the term "professional judgment," is a non-exclusive list of actions requiring a licensed pharmacist's professional judgment): (4-5-00)

i. Receive a new prescription order verbally from a prescriber or other person authorized by law. (4-5-00)

ii. Perform evaluations and interpretations of a prescription and any needed clarifications prior to filling. (4-5-00)

iii. Consult with the prescriber concerning any necessary clarification regarding a patient and his prescription. (4-5-00)

iv. Interpret any clinical data in a patient's medication record system (for example, drug usage, refill frequency, drug interactions, etc.) (7-1-93)

v. Perform professional consultation with any prescriber, nurse or other health care professional. (7-1-93)

vi. Supervise the packaging of drugs and check the completed procedure and product. (7-1-93)

vii. Issue the new prescription to the patient or his agent with consultation. (7-1-93)

viii. Supervise the activities of pharmacy technicians and pharmacy technicians in training to insure that all such activities are performed completely, safely and without risk or harm to patients. (4-5-00)()

d. A violation of the rules on pharmacy technicians and pharmacy technicians in training by a pharmacist or a pharmacy is unprofessional conduct, and is grounds for revocation or suspension of the pharmacist's license or the pharmacy registration, or both, issued under Sections 54-1722, 54-1723, 54-1724 or 54-1729, Idaho Code, or other appropriate disciplinary action. (4-5-00)()

03. Supervision. Where a pharmacy technician or pharmacy technician in training performs one (1) or more functions in connection with the preparing, compounding, distribution or dispensing of medications, the pharmacy technician or pharmacy technician in training shall be under the supervision of a licensed pharmacist who, in addition to the pharmacy and the pharmacist-in-charge, shall be responsible for all aspects of the filled prescription including, but not limited to, the following: (4-5-00)()

a. Verifying drug selection, strength, dosage form and labeling against the prescription and the contents of stock container. (7-1-93)

b. Verifying selection of the proper prescription container. (7-1-93)

04. ~~Pharmacy Technician~~ Ratio. The ratio of pharmacists to student pharmacists, pharmacy technicians and pharmacy technicians in training in total shall ~~be not less than~~ exceed one (1) pharmacist for every ~~three six (36)~~ student pharmacists, pharmacy technicians and pharmacy technicians in training in total in any practice setting; provided, however, that no pharmacy or pharmacist-in-charge shall operate the pharmacy or allow operation of the pharmacy with a ratio, nor shall any pharmacy require a pharmacist in charge to operate the pharmacy or allow operation of the pharmacy with a ratio, which, under the circumstances of the particular practice setting, results in, or reasonably would be expected to result in, an unreasonable risk of harm to public health, safety, and welfare. (4-6-05)()

05. Responsibility of ~~Pharmacy~~ Technicians. (4-5-00)()

a. Pharmacy technicians and pharmacy technicians in training shall perform all functions properly assigned to them with all necessary care. No pharmacy technician and pharmacy technician in training shall accept assignment of, or perform, any functions connected with the preparing, compounding, distribution or dispensing of medications unless such pharmacy technician and pharmacy technician in training is employed or otherwise authorized by the assigning pharmacy and such function meets all of the criteria set forth in Paragraph 251.02.b. of these rules. (5-3-03)()

b. The Board may initiate proceedings against pharmacy technicians or pharmacy technicians in training who perform such tasks or functions connected with the preparing, compounding, distribution or dispensing of medications: (4-5-00)()

- i. That are not routine functions; (4-5-00)
- ii. That the pharmacy technician or pharmacy technician in training is not adequately trained and supervised for; or (4-5-00)()
- iii. That require the use of a licensed pharmacist's professional judgment. Such persons may be charged by the appropriate authorities with practicing pharmacy without a license in violation of Section 54-1726, Idaho Code. (4-5-00)

c. The Board may initiate proceedings against pharmacy technicians who perform such tasks or functions connected with the preparing, compounding, distribution or dispensing of medications in a negligent or improper manner or otherwise violate the rules on pharmacy technicians. Such violations shall be grounds for revocation or suspension of the pharmacy technician's registration, or other appropriate disciplinary action. (4-5-00)

d. Pharmacy technicians in training are subject to discipline by the Board under Paragraph 251.05.c of these rules to the same extent and in the same manner as pharmacy technicians. The provisions of Subsection 251.08 of these rules apply to disciplinary proceedings against a pharmacy technician in training. ()

06. Identification of Pharmacy Technicians and Pharmacy Technicians in Training. (7-1-99)()

a. All pharmacy technicians and pharmacy technicians in training working as such in community pharmacies must be identified by a name badge designating that person as a pharmacy technician or pharmacy technician in training, as applicable. The name badge must measure no less than one (1) inch by three (3) inches and must contain the individual's printed name directly above the title of pharmacy technician or pharmacy technician in training, as applicable. The identification badge must be clearly visible at all times. Pharmacy technicians and pharmacy technicians in training working in an institutional setting may be exempt from the above requirement only if the institution requires a specific badge of identification to be worn by the pharmacy technician and pharmacy technician in training. (4-5-00)()

b. All pharmacy technicians and pharmacy technicians in training must identify themselves as a pharmacy technician or pharmacy technician in training, as applicable, on any phone calls initiated or received by them while performing pharmacy functions. (7-1-99)()

07. Registration of Pharmacy Technician and Pharmacy Technician in Training, Certification, and Exceptions. (4-5-00)()

a. Annual Renewal of Pharmacy Technician Registration. All pharmacy technicians shall register annually with the Board. ~~The Board will develop an appropriate annual registration notice and annual registration form to be mailed to all registered pharmacy technicians prior to June 1 of each year. The notice will state,~~ shall meet all the requirements for registration as a pharmacy technician, shall submit the annual renewal application in the form prescribed by the Board, and shall pay the annual pharmacy technician registration renewal fee specified by the Board. (4-5-00)()

b. Initial Registration of Pharmacy Technician. ~~Before~~ No person shall commencing duties at a pharmacy as a pharmacy technician ~~(including previously registered pharmacy technicians who are changing~~

~~pharmacies), an individual must register with the Board, pay the registration fee, and have received a certificate of registration from the Board, provided however, an individual who has not previously had his registration as a pharmacy technician revoked or suspended may commence performing duties as a pharmacy technician immediately upon the completion and mailing of the registration form and applicable fee to the Board. The initial registration period shall be from the date of initial registration to the next annual registration date. unless registered by the Board as a pharmacy technician. To be registered as a pharmacy technician, a person must satisfy all of the following:~~

~~(5-3-03)()~~

- ~~i. For registration prior to July 1, 2009, a person must: ()~~
 - ~~(1) Be at least eighteen (18) years of age, unless a waiver is granted by the Board's executive director; ()~~
 - ~~(2) Be a high school graduate or the recipient of a high school equivalency diploma, unless a waiver is granted by the Board's executive director; ()~~
 - ~~(3) Be of good moral character and temperate habits; ()~~
 - ~~(4) Have submitted a written application in the form prescribed by the Board; and ()~~
 - ~~(5) Have paid the registration fee specified by the Board. ()~~
- ~~ii. For registration subsequent to June 30, 2009, unless excepted by these rules, a person must: ()~~
 - ~~(1) Be at least eighteen (18) years of age, unless a waiver is granted by the Board's executive director; ()~~
 - ~~(2) Be a high school graduate or the recipient of a high school equivalency diploma, unless a waiver is granted by the Board's executive director; ()~~
 - ~~(3) Be of good moral character and temperate habits; ()~~
 - ~~(4) Have submitted a written application in the form prescribed by the Board; ()~~
 - ~~(5) Have obtained and maintain certification as a pharmacy technician by the Pharmacy Technician Certification Board (PTCP), the Institute for Certification of Pharmacy Technicians (ICPT), or such other certifying organization as may be approved by the Board; and ()~~
 - ~~(6) Have paid the registration fee specified by the Board. ()~~
- ~~iii. A person who is registered with the Board as a pharmacy technician as of June 30, 2009, may make a one time election at the first time for renewal subsequent to July 30, 2009 to register with the Board as a pharmacy technician in training rather than to renew registration as a pharmacy technician; but a person making such election shall be subject to all of the provisions in Paragraph 251.07.c. of these rules. ()~~
- ~~c. Registration of Pharmacy Technician in Training. Subsequent to June 30, 2009, a person may be registered by the Board as a pharmacy technician in training, provided that the person satisfies all the requirements for registration as a pharmacy technician under Subparagraph 251.07.b.i. of these rules and pays the registration fee specified by the Board for pharmacy technicians. Upon registration, a pharmacy technician in training may perform, under the supervision of a licensed pharmacist, any of the duties that these rules allow a registered pharmacy technician to perform. The registration of a pharmacy technician in training shall expire one (1) year from the date of registration and shall not be renewable. Subsequent to expiration of a pharmacy technician in training registration, a person must satisfy all the requirements of Subparagraph 251.07.b.ii. of these rules in order to be registered by the Board as a pharmacy technician. ()~~
- ~~d. Ineligibility for Registration. No pharmacist whose license has been denied, revoked, suspended, or restricted for disciplinary purposes shall be eligible to be registered by the Board as a pharmacy technician or~~

pharmacy technician in training. ()

e. Certification Requirement. As of July 1, 2009, unless excepted by these rules, no person shall be registered by the Board as a pharmacy technician, nor shall any person have their pharmacy technician registration renewed by the Board, unless that person has obtained, and maintains, certification as a pharmacy technician by the Pharmacy Technician Certification Board (PTCB), the Institute for the Certification of Pharmacy Technicians (ICPT), or such other certifying organization as may be approved by the Board. ()

f. Exception to Certification Requirement. No person who has registered with the Board as a pharmacy technician as of June 30, 2009 shall be required to obtain and maintain certification as a pharmacy technician in order to maintain or renew their registration as a pharmacy technician subsequent to June 30, 2009, so long as the person remains continuously employed as a pharmacy technician by the pharmacy in whose employment the person was employed as a pharmacy technician as of June 30, 2009. However, if the person, subsequent to June 30, 2009, ceases to be employed as a pharmacy technician by the pharmacy by whom the person was employed as of June 30, 2009, then the person's registration as a pharmacy technician shall automatically terminate as of the date of the person's termination of employment as a pharmacy technician by that pharmacy and the person must then satisfy all the requirements of Subparagraph 251.07.b.ii. of these rules in order to be registered by the Board as a pharmacy technician. ()

eg. Contents of Registration Form. The annual registration form and the initial registration form for pharmacy technicians and the registration form for pharmacy technicians in training shall be prepared by the Board, and shall require such information regarding the individual ~~and the employing or authorizing pharmacy~~ as the Board may reasonably require. ~~In addition, registration shall include the statement of the pharmacy owner (or an authorized agent of the pharmacy owner), and of the pharmacist in charge that either:~~ (5-3-03)()

~~i. The individual has been adequately trained by the pharmacist in charge, or by the pharmacy, to perform those routine functions in connection with the preparing, compounding, distribution or dispensing of medications as are, or will be, assigned to such individual; (4-5-00)~~

~~ii. The pharmacist in charge or the pharmacy owner has verified that such individual possesses adequate training to perform those routine functions in connection with the preparing, compounding, distribution or dispensing of medications as are, or will be, assigned to such individual; or (4-5-00)~~

~~iii. Such individual will be adequately so trained prior to the assignment of any routine functions in connection with the preparing, compounding, distribution or dispensing of medications. (4-5-00)~~

08. Discipline and Appeal. Any proceedings by the Board against any pharmacy technician shall comply in all respects with the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code. (4-5-00)