

CERTIFICATE

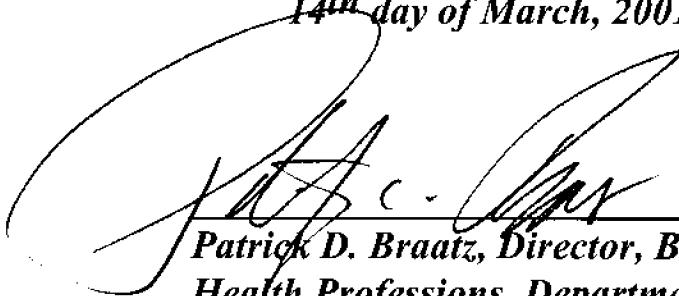
**STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING**

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Patrick D. Braatz, Director, Bureau of Health Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Pharmacy Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Pharmacy Examining Board on the 14th day of March, 2001.

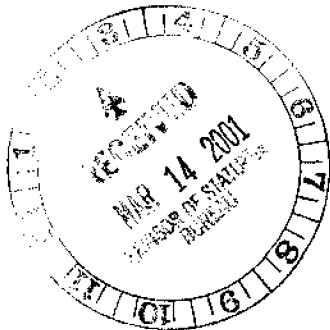
I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.

**IN TESTIMONY WHEREOF, I
have hereunto set my hand and
affixed the official seal of the
board at 1400 East Washington
Avenue, Madison, Wisconsin this
14th day of March, 2001.**

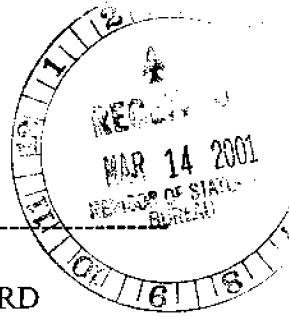


**Patrick D. Braatz, Director, Bureau of
Health Professions, Department of
Regulation and Licensing**

00-048



STATE OF WISCONSIN
PHARMACY EXAMINING BOARD



IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : PHARMACY EXAMINING BOARD
PHARMACY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 00-048)

ORDER

An order of the Pharmacy Examining Board to create Phar 7.015, relating to delegation of duties by a pharmacist.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2), 450.02 (2), (3) (a) and (d) and 450.11 (3), Stats.

Statutes interpreted: s. 450.02 (3) (a), (b), (d) and (e), Stats.

Rules of the Pharmacy Examining Board identify in s. Phar 7.01 that non-pharmacist employees may be assigned duties by a pharmacist relating to receiving prescriptions, preparing and dispensing drugs. The rules proposed will more specifically define the responsibilities of a pharmacist who delegates duties and describe the types of duties related to compounding and delivering drugs that may be delegated.

Section Phar 7.015 is created to define a pharmacy technician as a non-pharmacist or non-pharmacist intern, who is under the immediate and direct supervision of the pharmacist. The functions of the pharmacy technician are technical and nonjudgmental. The technical dispensing functions which may be delegated to a pharmacy technician are listed, as well as those dispensing functions which may not be delegated to a pharmacy technician. The delegation of approved dispensing functions to a pharmacy technician by the pharmacist does not relieve the pharmacist of responsibility for the proper filling of the prescription order.

TEXT OF RULE

SECTION 1. Phar 7.015 is created to read:

Phar 7.015 Pharmacy technicians. (1) As used in this section, "pharmacy technician" means a non-pharmacist or non-pharmacist intern who, under the general supervision of a pharmacist who regularly coordinates, directs and inspects the activities of the pharmacy technician, assists the pharmacist in the technical and nonjudgmental functions related to the practice of pharmacy in the processing of prescription orders and inventory management.

“Pharmacy technician” does not include ancillary persons which include, clerks, secretaries, cashiers or delivery persons, who may be present in the pharmacy.

(2) A pharmacist may delegate technical dispensing functions to a pharmacy technician, but only under the general supervision of the pharmacist where the delegated functions are performed. Technical dispensing functions include:

(a) Accepting written or electronic prescription orders of the prescribing practitioner or from the prescribing practitioner’s agent.

(b) Accepting original oral prescription orders from the prescribing practitioner or prescribing practitioner’s agent, if the conversation is recorded and listened to and verified by the pharmacist prior to dispensing.

(c) Requesting authorization for a refill from the prescribing practitioner.

(d) Accepting oral authorization for a refill from the prescribing practitioner or prescribing practitioner’s agent, provided there are no changes to the original prescription order.

(e) Accepting a request from a patient to refill a prescription.

(f) Obtaining and entering patient or prescription data into the patient information system.

(g) Preparing a prescription label.

(h) Retrieving medication from stock, counting or measuring medication, and placing the medication in its final container.

(i) Reconstituting prefabricated dosage forms.

(j) Compounding pharmaceuticals pursuant to written policies and procedures.

(k) Affixing a prescription label to its final container.

(l) Placing ancillary information on the prescription label.

(m) Prepackaging and labeling drugs for dispensing by a pharmacist.

(n) Preparing unit dose carts for final review by a pharmacist.

(o) Retrieving and transporting stock medication to and from pharmacist approved areas.

(p) Other technical functions that do not require the professional judgment of a pharmacist.

(3) A pharmacy technician may not do any of the following:

(a) Provide the final verification for the accuracy, validity, completeness, or appropriateness of a filled prescription or medication order.

(b) Perform any of the following tasks:

1. Participate in final drug utilization reviews.
2. Make independent therapeutic alternate drug selections.
3. Participate in final drug regimen screening, including screening for therapeutic duplication, drug-to-drug interactions, incorrect dosage, incorrect duration of treatment, drug allergy reactions and clinical abuse or misuse.
4. Perform any act necessary to be a managing pharmacist.
5. Administer any prescribed drug products, devices or vaccines.

(c) Provide patient counseling, consultation, or patient specific judgment, such as interpreting or applying information, including advice relating to therapeutic values, potential hazards and uses.

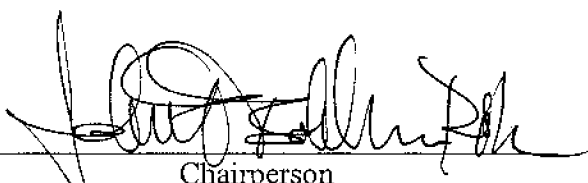
(d) Transfer the prescription to the patient or agent of the patient.

(4) The pharmacist shall provide the final verification for the accuracy, validity, completeness, and appropriateness of the patient's prescription prior to the delivery of the prescription to the patient or the patient's representative.

(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register pursuant to s. 227.22 (2) (intro.), Stats.

Dated 3/14/01

Agency 
Chairperson
Pharmacy Examining Board



State of Wisconsin

DEPARTMENT OF REGULATION AND LICENSING

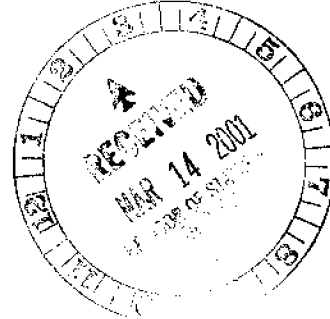
CORRESPONDENCE/MEMORANDUM

DATE: March 14, 2001

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela A. Haack, Paralegal
Department of Regulation and Licensing
Office of Administrative Rules

SUBJECT: Final Order Adopting Rules



Agency: Pharmacy Examining Board

Clearinghouse Rule 00-048

Attached is a copy and a certified copy of a final order adopting rules relating to delegation of duties by a pharmacist.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.