

**MEDICAL SOCIETY**  
of the  
**STATE OF NEW YORK**

Elizabeth Dears, Esq.  
Senior Vice President /  
Chief Legislative Counsel

*Division of Governmental Affairs*  
**MEMORANDUM IN OPPOSITION**

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**S.775 (FUSCHILLO)**

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**A.4221 (ENGLEBRIGHT)**

**AN ACT to amend the education law, in relation to the registration and certification of pharmacy technicians, and providing for the repeal of certain provisions upon expiration thereof**

This measure would establish requirements for registration and certification of pharmacy technicians and be granted a scope of practice determined by the education department and the board of regents. **The Medical Society of the State of New York opposes this bill.**

The bill, itself, does not specify a scope of practice for a pharmacy technician. However, the sponsor's justification indicates that the intent is for technicians to receive written prescriptions or requests for prescription refills from patients and may also receive prescriptions sent electronically from a doctor's office. To prepare the prescription, technicians must retrieve, count, pour, weigh, measure, and sometimes mix the medication. Then they prepare the prescription labels, select the type of prescription container, and affix the prescription and auxiliary labels to the container.

In hospitals, nursing homes, and assisted living facilities, technicians have added responsibilities, including reading patients' charts and preparing and delivering the medicine to patients. Technicians also may assemble a 24-hour supply of medicine for every patient. They package and label each dose separately. The packages are then placed in the medicine cabinets of patients until the supervising pharmacist checks them for accuracy. The packages are then given to the patients.

Despite the fact that they must be supervised by a licensed pharmacist, this enormous responsibility would be given to a person who must be only 18 years old and who must have a high school diploma or a GED diploma with no further training required.

For the above reasons, **the Medical Society of the State of New York opposes this measure and urges that it be defeated.**

**Respectfully Submitted,**

**ELIZABETH DEARS, ESQ.**

5/3/13 – Oppose BKE