

**22 TAC §291.32 (Personnel)**

...  
(c) Pharmacists.

...  
(2) Duties. Duties which may only be performed by a pharmacist are as follows:

- (A) ~~receiving oral prescription drug orders and reducing these orders to writing, either manually or electronically;~~
- ~~(B)~~ interpreting prescription drug orders;
- ~~(C)~~ ~~(B)~~ selecting drug products;
- ~~(D)~~ ~~(C)~~ performing the final check of the dispensed prescription before delivery to the patient to ensure that the prescription has been dispensed accurately as prescribed;
- ~~(E)~~ ~~(D)~~ communicating to the patient or patient's agent information about the prescription drug or device which in the exercise of the pharmacist's professional judgment, the pharmacist deems significant, as specified in §291.33(c) of this title;
- ~~(F)~~ ~~(E)~~ communicating to the patient or the patient's agent on his or her request information concerning any prescription drugs dispensed to the patient by the pharmacy;
- ~~(G)~~ ~~(F)~~ assuring that a reasonable effort is made to obtain, record, and maintain patient medication records;
- ~~(H)~~ ~~(G)~~ interpreting patient medication records and performing drug regimen reviews;
- ~~(I)~~ ~~(H)~~ performing a specific act of drug therapy management for a patient delegated to a pharmacist by a written protocol from a physician licensed in this state in compliance with the Medical Practice Act;
- ~~(J)~~ ~~(I)~~ verifying that controlled substances listed on invoices are received by clearly recording his/her initials and date of receipt of the controlled substances; and
- ~~(K) transferring or receiving a transfer of original prescription information on behalf of a patient.~~

...  
(d) Pharmacy Technicians and Pharmacy Technician Trainees.

...  
(2) Duties.

(A) Pharmacy technicians and pharmacy technician trainees may not perform any of the duties listed in subsection (c)(2) of this section.

**(B) Pharmacy technician trainees may not perform any of the duties listed in part (E) of this subsection.**

~~(B)~~ ~~(C)~~ A pharmacist may delegate to pharmacy technicians and pharmacy technician trainees any nonjudgmental technical duty associated with the preparation and distribution of prescription drugs provided:

- (i) unless otherwise provided under §291.33 of this subchapter, a pharmacist verifies the accuracy of all acts, tasks, and functions performed by pharmacy technicians and pharmacy technician trainees;
- (ii) pharmacy technicians and pharmacy technician trainees are under the direct supervision of and responsible to a pharmacist; and
- (iii) only pharmacy technicians and pharmacy technician trainees who have been properly trained on the use of an automated pharmacy dispensing system and can demonstrate comprehensive knowledge of the written policies and procedures for the operation of the system may be allowed access to the system.

**(C)** ~~(D)~~ Pharmacy technicians and pharmacy technician trainees may perform only nonjudgmental technical duties associated with the preparation and distribution of prescription drugs, as follows:

- (i) initiating and receiving refill authorization requests;
- (ii) entering prescription data into a data processing system;

- (iii) taking a stock bottle from the shelf for a prescription;
- (iv) preparing and packaging prescription drug orders (i.e., counting tablets/capsules, measuring liquids and placing them in the prescription container);
- (v) affixing prescription labels and auxiliary labels to the prescription container;
- (vi) reconstituting medications;
- (vii) prepackaging and labeling prepackaged drugs;
- (viii) loading bulk unlabeled drugs into an automated dispensing system provided a pharmacist verifies that the system is properly loaded prior to use;
- (ix) loading prepackaged containers previously verified by a pharmacist or manufacturer's unit of use packages into an automated dispensing system in accordance with §291.33(i)(2)(D)(III) of this subchapter;
- (x) compounding non-sterile prescription drug orders; and
- (xi) compounding bulk non-sterile preparations.

**(E) In addition to the duties listed in subsection (D), Pharmacy technicians may perform the following:**

- (i) receiving oral prescription drug orders and reducing these orders to writing, either manually or electronically;**
- (ii) transferring or receiving a transfer of original prescription information on behalf of a patient; and**
- (iii) contacting a prescriber for clarification when information on a prescription is incomplete, unless the inquiry regarding missing information requires the professional judgement of the pharmacist.**

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**(3) Ratio of on-site pharmacist to pharmacy technicians and pharmacy technician trainees.**

**(A) Except as provided in subparagraph (B) of this paragraph, the ratio of on-site pharmacists to pharmacy technicians and pharmacy technician trainees may be 1:4, provided the pharmacist is on-site and at least one of the four is a pharmacy technician. The ratio of pharmacists to pharmacy technician trainees may not exceed 1:3.**

**(B) As specified in §568.006 of the Act, a Class A pharmacy may have a ratio of on-site pharmacists to pharmacy technicians/pharmacy technician trainees of 1:5 provided:**

**(i) the Class A pharmacy:**

- (I) dispenses no more than 20 different prescription drugs; and**
- (II) does not produce sterile preparations including intravenous or intramuscular drugs on-site; and**

**(ii) the following conditions are met:**

- (I) at least four are pharmacy technicians and not pharmacy technician trainees; and**
- (II) The pharmacy has written policies and procedures regarding the supervision of pharmacy technicians and pharmacy technician trainees, including requirements that the pharmacy technicians and pharmacy technician trainees included in a 1:5 ratio may be involved only in one process at a time. For example, a technician/trainee who is compounding non-sterile preparations or who is involved in the preparation of prescription drug orders may not also call physicians for authorization of refills.**