

## 22 TAC §291.32 (Personnel)

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(d) Pharmacy Technicians and Pharmacy Technician Trainees.

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(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 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.

**(- ) Pharmacists who are certified to administer immunizations or vaccinations pursuant to 22 TAC §295.15 may delegate to appropriately trained pharmacy technicians authority to perform the act of administering an immunization or vaccination.**

(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.

**22 TAC §295.15 (Administration of Immunizations or Vaccinations by a Pharmacist under Written Protocol of Physician)**

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(e) Special Provisions. Pharmacists involved in the administration of immunizations or vaccinations under their license to practice pharmacy shall meet the following restrictions and requirements.

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~~(4) The authority of a pharmacist to administer immunizations or vaccinations may not be delegated.~~

~~(5)~~ Pharmacists may administer immunizations and vaccinations only when a licensed health-care provider authorized to administer the medication is not reasonably available to administer the medication. For the purpose of this section, "reasonably available" means those times when the licensed health-care provider is immediately available to administer the immunization or vaccine and is specifically tasked to do so.

~~(6)~~~~(5)~~ Under the provisions of the National Vaccine Injury Compensation Program (NVICP), the health-care provider under whose authority a covered vaccine is administered (i.e., the physician issuing the written protocol) must maintain certain information in the patient's permanent record. In order for the physician to comply with the provisions of the NVICP, the pharmacist shall provide the physician with the information specified in subsection (g) of this section.

~~(7)~~~~(6)~~ Before preparing an immunization or vaccine and between each patient contact, the pharmacist shall cleanse his or her hands with an alcohol-based waterless antiseptic hand rub or shall wash his or her hands with soap and water. If gloves are worn, the pharmacist shall change gloves between patients.

~~(8)~~~~(7)~~ The pharmacist shall comply with all other state and federal requirements regarding immunizations or vaccinations.

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**TX Occupations Code 554.004 (Administration of Medication)**

Sec. 554.004. ADMINISTRATION OF MEDICATION. (a) The board shall specify conditions under which a pharmacist may administer medication, including an immunization and vaccination. The conditions must ensure that:

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~~(7) the authority of a pharmacist to administer medication may not be delegated.~~

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