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BILL ANALYSIS



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Senate Bill 92 (Substitute S-5 as reported by the Committee of the whole)
Sponsor: Senator Mike Green
Committee: Regulatory Reform

CONTENT

The bill would amend Part 177 (Pharmacy Practice and Drug Control) of the Public Health Code to provide for the licensure of pharmacy technicians. The bill would do the following:

- Require an individual to be licensed as a pharmacy technician if he or she performed specific functions.
- Require a license applicant to pass the Certified Pharmacy Technician Examination, another nationally recognized exam approved by the Michigan Board of Pharmacy, or a Board-approved employer-based training program exam; but excuse certain people from the examination requirement.
- Allow the Department of Licensing and Regulatory Affairs (LARA) to issue a 210-day temporary license to a person who was preparing for the required exam.
- Allow LARA to issue a limited license to someone who was employed as a pharmacy technician on the bill's effective date and had worked at least 1,000 hours in the previous year; and provide for the license to expire when the technician discontinued that employment.
- Establish a \$25 application fee and a \$30 annual license fee for a pharmacy technician license; a \$15 fee for a temporary license; and \$10 annual fee for a limited license.
- Require a pharmacy or dispensing prescriber that used the services of a pharmacy technician to ensure that certain requirements were met.
- Allow the Michigan Board of Pharmacy to require a person to meet continuing education requirements for the renewal of a pharmacy technician license.
- Add a pharmacy technician to the Board.

The bill would take effect 90 days after it was enacted.

MCL 333.16333 et al.

Legislative Analyst: Suzanne Lowe

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on the Department of Licensing and Regulatory Affairs. It would establish a professional licensing milieu for pharmacy technicians, and establish fees for application processing and annual license renewal of \$25 and \$30, respectively. It is unknown precisely how many pharmacy technicians are employed in Michigan currently, but according to the Pharmacy Technician Certification Board (PCTB), approximately 8,000 pharmacy technicians are currently certified through the PCTB's optional certification program. If all of these pharmacy technicians became licensed through the State program under the bill, LARA would collect approximately \$200,000 in application fees initially, and \$240,000 annually in license fees. It is likely that the actual amount collected would be higher, however, as the PCTB figures include just those who are

certified under its optional program; the actual number of practicing pharmacy technicians is likely higher.

The bill also would establish fees for temporary pharmacy technician licenses and limited pharmacy technician licenses of \$15 and \$10, respectively. It is unknown how much revenue would be raised by those fees, but it would generally track the number of new pharmacy technicians entering the profession each year.

In addition, the bill would remove application processing fees and annual license fees of \$50 and \$25, respectively, for the certification of clinical thermometers. It is unknown how much revenue would be lost by removing these fees, but since the fees are collected based on the number of different models of thermometers sold in the State, it is not likely to be a large amount of revenue.

The Department's costs to implement the proposed licensure program are unknown at this time. To the extent that the revenue collected under the bill exceeded those costs, the bill could have a positive fiscal impact on LARA. The opposite is also true, so the fiscal impact is indeterminate.

Date Completed: 3-27-13

Fiscal Analyst: Josh Sefton

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