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LEGISLATIVE RESEARCH COMMISSION

State Capitol 700 Capital Avenue Frankfort KY 40601

502-564-8100

Capitol Fax 502-564-2922

Annex Fax 502-564-6543

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MEMORANDUM

TO: Jessica Brown, General Counsel, Board of Pharmacy

FROM: Ange Darnell, Regulations Compiler

RE: Proposed Amendments to Regulations – 201 KAR 002:045, 201 KAR 002:063, 201 KAR 002:074, 201 KAR 002:160, and 201 KAR 002:280.

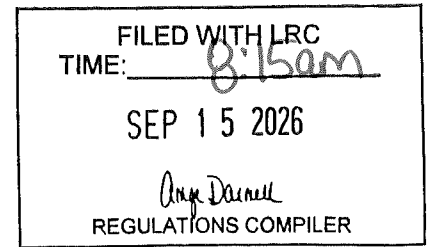
DATE: September 14, 2026

A copy of each administrative regulation listed above is enclosed for your files. These regulations are tentatively scheduled for review by the Administrative Regulation Review Subcommittee at its **DECEMBER 2026** meeting. We will notify you of the date and time of this meeting once it has been scheduled.

Pursuant to KRS 13A.280, **if** comments are received during the public comment period, a Statement of Consideration or a one-month extension request for these regulations is due **by noon on December 15, 2026**. Please reference KRS 13A.270 and 13A.280 for other requirements relating to the public hearing and public comment period and Statements of Consideration.

If you have questions, please contact us at RegsCompiler@LRC.ky.gov or (502) 564-8100.

Enclosures



1 BOARDS AND COMMISSIONS

2 Board of Pharmacy

3 (Amendment)

4 201 KAR 2:045. Technicians.

5 RELATES TO: KRS 142.301, 315.010, 315.020, 315.136, 315.191(1)

6 STATUTORY AUTHORITY: KRS 315.010(21), 315.020(4)(b), 315.191(1)(a), (g), (l)

7 CERTIFICATION STATEMENT: This is to certify that this administrative regulation complies
8 with 2025 RS HB 6, Section 8.

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 315.191(1)(a) authorizes the board to
10 promulgate administrative regulations governing pharmacy technicians. KRS 315.020(4)(b)
11 authorizes the board to establish the scope of practice for pharmacy technicians. KRS
12 315.010(21) and 315.191(1)(l) authorize the board to promulgate administrative regulations
13 establishing that a pharmacy technician may practice under the general, rather than
14 immediate, supervision of a pharmacist. This administrative regulation establishes the
15 qualifications required for a pharmacy technician to practice under the general supervision
16 of a pharmacist and establishes the scope of practice for a pharmacy technician.

17 Section 1. Certified Pharmacy Technician Recognition. A person shall be recognized
18 by the board as a certified pharmacy technician if the person has successfully completed
19 the:

1 (1) Pharmacy Technician Certification Exam (PTCE) administered by the Pharmacy
2 Technician Certification Board (PTCB) or the Examination for the Certification of Pharmacy
3 Technicians (ExCPT) by the National Healthcareer Association (NHA) and the certificate
4 issued by the PTCB or NHA is current; or

5 (2) Nuclear Pharmacy Technician Training Program at the University of Tennessee or
6 other entity approved by the Board of Pharmacy.

7 Section 2. Registered Pharmacy Technician.

8 (1) A registered pharmacy technician may, under the immediate supervision of a
9 pharmacist, engage in the following activities at a permitted location to the extent that the
10 activities do not require the exercise of professional judgment:

11 (a) Initiate or receive telephonic or electronic communication from a practitioner or
12 practitioner's agent concerning refill authorization. If the practitioner or practitioner's agent
13 communicates information that does not relate to the refill authorization:

14 1. The technician shall immediately inform the pharmacist; and

15 2. The pharmacist shall receive the communication;

16 (b) Enter information into and retrieve information from a database or patient profile,
17 including order entry;

18 (c) Prepare and affix labels;

19 ~~[(d) Stock and retrieve, or return product to or from the pharmacy inventory, including~~
20 ~~the stocking and loading of an automated filling or dispensing system with the use of~~
21 ~~barcode technology;]~~

22 ~~[(e)]~~ Count and pour prescription drugs into patient storage containers;

1 ~~(e)~~~~(f)~~ Obtain, record, or maintain information for a patient record;

2 ~~(f)~~~~(g)~~ Make an offer to counsel;

3 ~~(g)~~~~(h)~~ Sell and record the sale of an over-the-counter ephedrine, pseudoephedrine,
4 or phenylpropanolamine product;

5 ~~(h)~~~~(i)~~ Prepare for delivery unit dose mobile transport systems that have been refilled
6 by another technician in an institutional pharmacy;

7 ~~(i)~~~~(j)~~ Receive diagnostic orders within a nuclear pharmacy; and

8 ~~(j)~~~~(k)~~ Non-sterile and sterile drug compounding.

9 (2) A registered pharmacy technician may, under electronic supervision, perform
10 order entry from a location outside of the permitted pharmacy pursuant to KRS 315.020(5)(b)
11 and (c) and 201 KAR 2:480.

12 (3) A registered pharmacy technician may, under general supervision:

13 (a) Administer a vaccine to an individual if the technician:

14 1. Completes a minimum of two (2) hours of immunization-related continuing
15 education accredited by the Accreditation Council for Pharmacy Education (ACPE) per each
16 state registration period;

17 2. Completes, or has completed, a practical training program accredited by ACPE
18 that includes hands-on injection technique and the recognition and treatment of emergency
19 reactions to vaccines; and

20 3. Possesses a current certificate in basic cardiopulmonary resuscitation.

21 (b) Stock and retrieve, or return product to or from the pharmacy inventory, including
22 the stocking and loading of an automated pharmacy [dispensing] system with the use of

1 machine-readable technology.~~[in a residential hospice facility if a pharmacist is on-site];~~

2 and

3 (c) Administer point of care tests.

4 Section 3. Certified Pharmacy Technician. A certified pharmacy technician, under the
5 general supervision of a pharmacist, may be delegated by the supervising pharmacist to
6 perform any function within the practice of pharmacy except the following:

7 (1) Patient counseling, including clinical advisement necessary to all areas of a
8 patient's health;

9 (2) Drug evaluation, utilization, and regimen review;

10 (3) Interpretation of medical orders and prescriptions;

11 (4) Final product verification;

12 (5) Receipt of new verbal prescription drug or medical orders; and

13 (6) Other acts, services, or decisions that require professional judgement.

14 Section 4. Directing Pharmacist Responsibility.

15 (1) A function performed by a certified pharmacy technician or registered pharmacy
16 technician shall be performed subject to the review of the pharmacist who directed the
17 technician to perform the function.

18 (2) A pharmacist who directs a certified pharmacy technician or registered pharmacy
19 technician to perform a function shall be responsible for the technician and the performance
20 of the function.

21 Section 5. Pharmacy Technician Application and Renewal.

22 (1) Initial registration for pharmacy technician.

1 (a) An applicant shall provide a completed Application for Registration as a Pharmacy
2 Technician form.

3 (b) The initial application shall be submitted no more than thirty (30) calendar days
4 after the applicant commences employment at a pharmacy.

5 (2) Annual renewal requirement for pharmacy technician.

6 (a) Registered pharmacy technician licenses shall expire on March 31 of the year
7 following the initial registration.

8 (b) A registered pharmacy technician shall renew the registration annually by
9 providing a completed Application for Pharmacy Technician Renewal form.

10 (3) Fee exception: charitable. An applicant for registration as a pharmacy technician
11 who serves only on a voluntary basis as a pharmacy technician with a pharmacy operated
12 by a charitable provider as defined in KRS shall not be required to pay the application fee.

13 (4) Display of registration certificate for pharmacy technician.

14 (a) The registration certificate for a pharmacy technician shall be on display at his or
15 her primary place of employment.

16 (b) The registration shall be exhibited upon request of a member, inspector, or agent
17 of the board.

18 (5) Notification requirement. A pharmacy technician shall notify the board of a
19 change of employer within fourteen (14) calendar days of the change.

20 Section 6. Incorporation by Reference.

21 (1) The following material is incorporated by reference:

22 (a) "Application for Registration as a Pharmacy Technician", 08/2025; and

1 (b) "Application for Pharmacy Technician Renewal", 08/2025.

2 (2) This material may be inspected, copied, or obtained, subject to applicable
3 copyright law, at the Kentucky Board of Pharmacy, State Office Building Annex, Suite 300,
4 125 Holmes Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

5 This material is also available on the Board's website at:

6 [https://pharmacy.ky.gov/statutesandregulations/Documents/Applications%20for%20Indiv](https://pharmacy.ky.gov/statutesandregulations/Documents/Applications%20for%20Individuals%20-%20Incorporated%20By%20Reference.pdf)
7 [iduals%20-%20Incorporated%20By%20Reference.pdf](https://pharmacy.ky.gov/statutesandregulations/Documents/Applications%20for%20Individuals%20-%20Incorporated%20By%20Reference.pdf).

APPROVED BY AGENCY:

A handwritten signature in black ink, appearing to read "Chris Harlow", written over a horizontal line.

Christopher Harlow, Executive Director

9/10/2026

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on November 30, 2026, at 10:00 a.m. EST via Zoom Meetings. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through November 30, 2026. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Christopher Harlow, Executive Director, Kentucky Board of Pharmacy, 125 Holmes Street, Suite 300, State Office Building Annex, Frankfort, Kentucky 40601, phone (502) 564-7910, fax (502) 696-3806, email Christopher.harlow@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 2:045. Technicians.

Contact person: Christopher Harlow, Phone: 502-564-7910, Email: christopher.harlow@ky.gov

Subject Headings: Pharmacy, Workforce Development, Licensing

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the functions that pharmacy technicians are authorized to perform. This regulation also establishes the criteria for registration as a certified pharmacy technician.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to assist pharmacists in the practice of pharmacy. Without this regulation there is no indication as to what a pharmacy technician may or may not do.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 315.191(1)(a) provides the Board with the authority to promulgate administrative regulations necessary to regulate and control all matters set forth in KRS 315 relating to pharmacy technicians.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation provides clarity as to what technicians may or may not do. KRS 315.135 and KRS 315.136 authorize the registration of pharmacy technicians.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment permits a registered pharmacy technician to stock or load an automated pharmacy system under the general supervision of a pharmacist, provided the system utilizes machine-readable technology and so long as the activity occurs under the general supervision of a pharmacist.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to clarify the circumstances under which registered pharmacy technicians may perform specified inventory-related activities without the immediate supervision of a pharmacist. The amendment establishes appropriate safeguards by requiring general pharmacist supervision and, when stocking or loading an automated pharmacy system, the use of machine-readable technology. These changes allow pharmacy personnel to perform inventory-related functions efficiently while maintaining pharmacist oversight and safeguards intended to reduce the risk of medication selection and stocking errors.

(c) How the amendment conforms to the content of the authorizing statutes: This amendment conforms to KRS 315.191(1)(a) and the authority to promulgate regulations to control and regulate pharmacy technicians.

(d) How the amendment will assist in the effective administration of the statutes: This amendment provides clarity as to what technicians may or may not do. KRS 315.135 and KRS 315.136 authorize the registration of pharmacy technicians

(3) Does this administrative regulation or amendment implement legislation from the previous five years? No.

(4) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Pharmacies, pharmacists, pharmacy technicians and pharmacist interns will be impacted by this administrative regulation.

(5) Provide an analysis of how the entities identified in question (4) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (4) will have to take to comply with this administrative regulation or amendment: Pharmacies, pharmacists, pharmacy technicians and pharmacist interns will have to familiarize themselves with the changes in tasks that pharmacy technicians may perform.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4): It will not cost regulated entities anything to comply with the amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4): Registered pharmacy technicians and permitted pharmacies will benefit from increased operational flexibility and efficiency by allowing registered pharmacy technicians to perform specified inventory-related activities under the general supervision of a pharmacist rather than requiring immediate pharmacist supervision. Pharmacies utilizing automated pharmacy systems will also benefit from the efficient use of registered pharmacy technicians to stock and load those systems while maintaining safeguards through the required use of machine-readable technology and pharmacist oversight.

(6) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: 0

(b) On a continuing basis: 0

(7) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation or this amendment: The Board will enforce this regulation through regular pharmacy inspections which are already funded through the Board's budget.

(8) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: There will be no fee increase with this administrative regulation.

(9) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: There are no fees established directly or indirectly by this regulation.

(10) TIERING: Is tiering applied? Certified technicians are provided with the ability to perform more tasks, as delegated by a supervising pharmacist, because they have attained a level of competency with a national exam. A non-certified technician has no special education or credential.

FISCAL IMPACT STATEMENT

201 KAR 2:045. Technicians.

Contact Person: Christopher Harlow,

Contact Phone 502-564-7910

Contact Email: email christopher.harlow@ky.gov

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation: KRS 315.191(1)(a)

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act: Yes, KRS 315.135.

(3)(a) Identify the promulgating agency and any other affected state units, parts, or divisions: {Response}

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year: N/A

For subsequent years: N/A

2. Revenues:

For the first year: N/A

For subsequent years: N/A

3. Cost Savings:

For the first year: N/A

For subsequent years: N/A

(4)(a) Identify affected local entities (for example: cities, counties, fire departments, school districts): {Response}

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: N/A

For subsequent years: N/A

2. Revenues:

For the first year: N/A

For subsequent years: N/A

3. Cost Savings:

For the first year: N/A

For subsequent years: N/A

(5)(a) Identify any affected regulated entities not listed in (3)(a) or (4)(a): {Response}

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year: N/A

For subsequent years: N/A

2. Revenues:

For the first year: N/A

For subsequent years: N/A

3. Cost Savings:

For the first year: N/A

For subsequent years: There could be some cost savings because a pharmacy technician may be able to perform a task previously reserved for a pharmacist only.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation: This regulation has no fiscal impact.

(b) Methodology and resources used to reach this conclusion: An analysis of the Board's budget and what it will take regulated entities to comply with this regulation.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a "major economic impact", as defined by KRS 13A.010(14): This administrative regulation will not have a major economic impact.

(b) The methodology and resources used to reach this conclusion: The Board reviewed what it would cost permitted entities to comply with this statute.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

“Application for Registration as a Pharmacy Technician”, 08/2025 is a two-page document required to be completed by the applicant. The application is reviewed by Board staff to determine approval. If there are concerns, the Board reviews the application and asks the applicant to appear to answer further questions.

“Application for Pharmacy Technician Renewal”, 08/2025 is a two-page document required to be completed annually by each pharmacy technician that wishes to continue assisting in the practice of pharmacy.

**KENTUCKY BOARD OF
PHARMACY**

State Office Building
Annex, Suite 300
125 Holmes Street
Frankfort KY 40601
Phone: (502) 564-7910
Fax: (502) 696-3806

Email:
pharmacy.board@ky.gov
<http://pharmacy.ky.gov>



Kentucky Board of Pharmacy

Application for Registration as a Pharmacy Technician

Name, maiden, and other names used currently or previously:

Phone Number:

Address:

Social Security Number:

NABP Eprofile Number:

Email Address:

Current Place of Employment:

Is your place of employment a charitable pharmacy? _____

Are you a certified pharmacy technician? _____

Have you ever been convicted of a felony?

Have you ever been convicted of violation(s) of any drug/alcohol laws?

Have you been refused licensure/certification/registration or re-licensure/certification/registration by any Board of Pharmacy?

Have you had a pharmacy technician license/certification/registration surrendered to or fined, suspended, probated or revoked by any Board of Pharmacy?

Record of any technician registration revocation, suspension, restriction, termination, or other disciplinary action by any board of pharmacy or other state authority;

Attestation:

I certify that the statements contained in this application are true, complete and correct, and I agree that the statements shall form the basis of my application, and I do authorize the Kentucky Board of Pharmacy to make any investigations that it may deem appropriate and to secure additional information concerning me to any person, corporation, institution, association, Board or any municipal, county, state or federal government agencies or units, and that I understand according to the Kentucky Revised Statutes a license may be revoked or suspended for presenting any false, fraudulent or forged statement, certificate, diploma or other thing, in connection with an application or a license or permit.

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Kentucky Board of Pharmacy

Application for Pharmacy Technician Renewal

Name, maiden, and other names used currently or previously:

Phone Number:

Address:

Social Security Number:

NABP Eprofile Number:

Email Address:

Current Place of Employment:

Is your place of employment a charitable pharmacy? _____

Are you a certified pharmacy technician? _____

Have you ever been convicted of a felony?

Have you ever been convicted of violation(s) of any drug/alcohol laws?

Have you been refused licensure/certification/registration or re-licensure/certification/registration by any Board of Pharmacy?

Have you had a pharmacy technician license/certification/registration surrendered to or fined, suspended, probated or revoked by any Board of Pharmacy?

Record of any technician registration revocation, suspension, restriction, termination, or other disciplinary action by any board of pharmacy or other state authority;

Attestation:

I certify that the statements contained in this application are true, complete and correct, and I agree that the statements shall form the basis of my application, and I do authorize the Kentucky Board of Pharmacy to make any investigations that it may deem appropriate and to secure additional information concerning me to any person, corporation, institution, association, Board or any municipal, county, state or federal government agencies or units, and that I understand according to the Kentucky Revised Statutes a license may be revoked or suspended for presenting any false, fraudulent or forged statement, certificate, diploma or other thing, in connection with an application or a license or permit.