

ASSEMBLY BILL

No. 2743

Introduced by Assembly Member Matthews

February 24, 2006

An act to add Section 4115.3 to the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2743, as introduced, Matthews. Pharmacists: ancillary personnel.

Existing law, the Pharmacy Law, the violation of which is a crime, provides for the licensing and regulation of the practice of pharmacy by the California State Board of Pharmacy. Existing law provides that a pharmacy with only one pharmacist shall have no more than one pharmacy technician performing specified tasks, and makes other provisions for the supervision of intern pharmacists, pharmacy technicians, and pharmacy technician trainees by a pharmacist.

This bill would prohibit a pharmacy from employing more than 8 ancillary personnel, as defined, per pharmacist. The bill would give a pharmacist discretion as to how many personnel he or she supervises, subject to the limits of existing law. Because this bill would create a new prohibition under the Pharmacy Law, the violation of which would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4115.3 is added to the Business and
2 Professions Code, to read:
3 4115.3. (a) A pharmacy shall have no more than eight
4 ancillary personnel per pharmacist. Each pharmacist shall have
5 individual discretion as to how many ancillary personnel, within
6 this limit, he or she supervises, subject to the limits set forth in
7 Sections 4114, 4115, and 4115.5.
8 (b) For purposes of this section, “ancillary personnel” includes
9 pharmacy technicians, pharmacy technician trainees, interns,
10 clerks, and typists.
11 SEC. 2. No reimbursement is required by this act pursuant to
12 Section 6 of Article XIII B of the California Constitution because
13 the only costs that may be incurred by a local agency or school
14 district will be incurred because this act creates a new crime or
15 infraction, eliminates a crime or infraction, or changes the
16 penalty for a crime or infraction, within the meaning of Section
17 17556 of the Government Code, or changes the definition of a
18 crime within the meaning of Section 6 of Article XIII B of the
19 California Constitution.

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