

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 5. The Pharmacy Practice Act is amended by changing Sections 9 and 15.1 and by adding Section 9.7 as follows:

(225 ILCS 85/9)

(Section scheduled to be repealed on January 1, 2028)

Sec. 9. Licensure as registered pharmacy technician.

(a) Any person shall be entitled to licensure as a registered pharmacy technician who is of the age of 16 or over, has not engaged in conduct or behavior determined to be grounds for discipline under this Act, is attending or has graduated from an accredited high school or comparable school or educational institution or received a State of Illinois High School Diploma, and has filed a written or electronic application for licensure on a form to be prescribed and furnished by the Department for that purpose. The Department shall issue a license as a registered pharmacy technician to any applicant who has qualified as aforesaid, and such license shall be the sole authority required to assist licensed pharmacists in the practice of pharmacy, under the supervision of a licensed pharmacist. A registered pharmacy technician may

be delegated to perform any task within the practice of pharmacy if specifically trained for that task, except for patient counseling, drug regimen review, clinical conflict resolution, ~~or~~ final prescription verification except where a registered certified pharmacy technician verifies a prescription dispensed by another pharmacy technician using technology-assisted medication verification, or providing patients prophylaxis drugs for human immunodeficiency virus pre-exposure prophylaxis or post-exposure prophylaxis.

(b) Beginning on January 1, 2017, within 2 years after initial licensure as a registered pharmacy technician, the licensee must meet the requirements described in Section 9.5 of this Act and become licensed as a registered certified pharmacy technician. If the licensee has not yet attained the age of 18, then upon the next renewal as a registered pharmacy technician, the licensee must meet the requirements described in Section 9.5 of this Act and become licensed as a registered certified pharmacy technician. This requirement does not apply to pharmacy technicians registered prior to January 1, 2008.

(c) (Blank). ~~Any person registered as a pharmacy technician who is also enrolled in a first professional degree program in pharmacy in a school or college of pharmacy or a department of pharmacy of a university approved by the Department or has graduated from such a program within the last 18 months, shall be considered a "student pharmacist" and entitled to use the title "student pharmacist". A student~~

~~pharmacist must meet all of the requirements for licensure as a registered pharmacy technician set forth in this Section excluding the requirement of certification prior to the second license renewal and pay the required registered pharmacy technician license fees. A student pharmacist may, under the supervision of a pharmacist, assist in the practice of pharmacy and perform any and all functions delegated to him or her by the pharmacist.~~

(d) Any person seeking licensure as a pharmacist who has graduated from a pharmacy program outside the United States must register as a pharmacy technician and shall be considered a "student pharmacist" and be entitled to use the title "student pharmacist" while completing the 1,200 clinical hours of training approved by the Board of Pharmacy described and for no more than 18 months after completion of these hours. These individuals are not required to become registered certified pharmacy technicians while completing their Board approved clinical training, but must become licensed as a pharmacist or become licensed as a registered certified pharmacy technician before the second pharmacy technician license renewal following completion of the Board approved clinical training.

(e) The Department shall not renew the registered pharmacy technician license of any person who has been licensed as a registered pharmacy technician with the designation "student pharmacist" who: (1) has dropped out of or been expelled from

an ACPE accredited college of pharmacy; (2) has failed to complete his or her 1,200 hours of Board approved clinical training within 24 months; or (3) has failed the pharmacist licensure examination 3 times. The Department shall require these individuals to meet the requirements of and become licensed as a registered certified pharmacy technician.

(f) The Department may take any action set forth in Section 30 of this Act with regard to a license pursuant to this Section.

(g) Any person who is enrolled in a non-traditional Pharm.D. program at an ACPE accredited college of pharmacy and is licensed as a registered pharmacist under the laws of another United States jurisdiction shall be permitted to engage in the program of practice experience required in the academic program by virtue of such license. Such person shall be exempt from the requirement of licensure as a registered pharmacy technician or registered certified pharmacy technician while engaged in the program of practice experience required in the academic program.

An applicant for licensure as a registered pharmacy technician may assist a pharmacist in the practice of pharmacy for a period of up to 60 days prior to the issuance of a license if the applicant has submitted the required fee and an application for licensure to the Department. The applicant shall keep a copy of the submitted application on the premises where the applicant is assisting in the practice of pharmacy.

The Department shall forward confirmation of receipt of the application with start and expiration dates of practice pending licensure.

(h) Supportive staff who solely perform clerical work are not required to be licensed as a registered pharmacy technician. It shall be the responsibility of the pharmacy, the pharmacist-in-charge, and the pharmacy technician to ensure supportive staff are properly trained. The pharmacy or pharmacist-in-charge shall alert the Department's chief pharmacy coordinator when supportive staff have been terminated for threatening patient safety or diversion, in accordance with the requirements of subsection (b) of Section 30.1. As used in this subsection, "clerical work" includes, without limitation, operating registers at the point of sale, sorting pre-packaged drugs in pharmacies specializing in centralized prescription filling, and selling prescriptions that have received final verification by a pharmacist in accordance with subsection (c-5) of Section 15.1. "Clerical work" does not include data entry, packaging, labeling, or storage.

(Source: P.A. 101-621, eff. 1-1-20; 102-882, eff. 1-1-23; 102-1051, eff. 1-1-23; 102-1100, eff. 1-1-23; revised 12-14-22.)

(225 ILCS 85/9.7 new)

Sec. 9.7. Student pharmacist. Any person who is also

enrolled in a first professional degree program in pharmacy in a school or college of pharmacy or a department of pharmacy of a university approved by the Department, or has graduated from such a program within the last 18 months, shall be considered a "student pharmacist" and entitled to use the title "student pharmacist". A student pharmacist must meet all of the requirements for licensure as a registered pharmacy technician set forth in Section 9, except for the requirement of certification prior to the second license renewal, and pay the required license fees. A student pharmacist may, under the supervision of a pharmacist, assist in the practice of pharmacy and perform any and all functions delegated to him or her by the pharmacist.

(225 ILCS 85/15.1)

(Section scheduled to be repealed on January 1, 2028)

Sec. 15.1. Pharmacy working conditions.

(a) A pharmacy licensed under this Act shall not require a pharmacist, student pharmacist, or pharmacy technician to work longer than 12 continuous hours per day, inclusive of the breaks required under subsection (b).

(b) A pharmacist who works 6 continuous hours or longer per day shall be allowed to take, at a minimum, one 30-minute uninterrupted meal break and one 15-minute break during that 6-hour period. If such pharmacist is required to work 12 continuous hours per day, at a minimum, he or she qualifies for

an additional 15-minute break. A pharmacist who is entitled to take such breaks shall not be required to work more than 5 continuous hours, excluding a 15-minute break, before being given the opportunity to take a 30-minute uninterrupted meal break. If the pharmacy has a private break room available, or if there is a private break room in the establishment or business in which the pharmacy is located, a pharmacist who is entitled to breaks must be given access to that private break room and allowed to spend his or her break time in that room.

(c) A pharmacy may, but is not required to, close when a pharmacist is allowed to take a break under subsection (b). If the pharmacy does not close, the pharmacist shall either remain within the licensed pharmacy or within the establishment in which the licensed pharmacy is located in order to be available for emergencies. In addition, the following applies:

(1) pharmacy technicians, student pharmacists, and other supportive staff authorized by the pharmacist on duty may continue to perform duties as allowed under this Act;

(2) no duties reserved to pharmacists and student pharmacists under this Act, or that require the professional judgment of a pharmacist, may be performed by pharmacy technicians or other supportive staff; and

(3) only prescriptions that have received final verification by a pharmacist may be sold ~~dispensed~~ while

the pharmacist is on break, except those prescriptions that require counseling by a pharmacist, including all new prescriptions and those refill prescriptions for which a pharmacist has determined that counseling is necessary, may be sold ~~dispensed~~ only if the following conditions are met:

(i) the patient or other individual who is picking up the prescription on behalf of the patient is told that the pharmacist is on a break and is offered the chance to wait until the pharmacist returns from break in order to receive counseling;

(ii) if the patient or other individual who is picking up the prescription on behalf of the patient declines to wait, a telephone number at which the patient or other individual who is picking up the prescription on behalf of the patient can be reached is obtained;

(iii) after returning from the break, the pharmacist makes a reasonable effort to contact the patient or other individual who is picking up the prescription on behalf of the patient and provide counseling; and

(iv) the pharmacist documents the counseling that was provided or documents why counseling was not provided after a minimum of 2 attempts, including a description of the efforts made to contact the patient



or other individual who is picking up the prescription on behalf of the patient; the documentation shall be retained by the pharmacy and made available for inspection by the Board or its authorized representatives for at least 2 years.

(c-5) When a pharmacist is not present in the pharmacy, a registered pharmacy technician, registered certified pharmacy technician, student pharmacist, or other supportive staff shall sell prescriptions that have received final verification by a pharmacist. A registered pharmacy technician, registered certified pharmacy technician, student pharmacist, or other supportive staff shall connect a patient to a pharmacist to provide counseling by audio or video technology for any prescription that requires counseling by a pharmacist. If the pharmacy does not have audio and video technology to connect the patient or other individual who is picking up the prescription on behalf of the patient to a pharmacist to provide counseling, then a telephone number at which the patient or other individual who is picking up the prescription on behalf of the patient can be reached shall be obtained . The pharmacist, upon returning to duty, shall attempt to contact the patient or other individual in accordance with items (iii) and (iv) of subsection (c). It shall be the responsibility of the pharmacy and pharmacist-in-charge to ensure that all staff, including supportive staff, are trained in selling pre-verified prescriptions. Training shall include, at a

minimum, recordkeeping requirements, patient counseling protocols as described in this subsection (c-5), pharmacy safety protocols, and patient privacy standards. The prescription record shall contain the names, initials, or other unique identifier of both the pharmacist who verified the prescription and the staff member who sold the prescription.

(d) In a pharmacy staffed by 2 or more pharmacists, the pharmacists shall stagger breaks so that at least one pharmacist remains on duty during all times that the pharmacy remains open for the transaction of business.

(e) (Blank). ~~A pharmacy shall keep and maintain a complete and accurate record showing its pharmacists' daily break periods.~~

(f) Subsections (a) and (b) shall not apply when an emergency, as deemed by the professional judgment of the pharmacist, necessitates that a pharmacist, student pharmacist, or pharmacy technician work longer than 12 continuous hours, work without taking required meal breaks, or have a break interrupted in order to minimize immediate health risks for patients.

(Source: P.A. 101-621, eff. 1-1-20.)