

Title: COVID-19 Public Health Emergency:
Flexible Staffing Ratios

Policy No. I.D.12

Approved: 03-25-2020
Revised: 04-02-2020
Extended: 08-30-2020
Extended: 11-18-2020
Extended: 02-24-2021



1. During their March 25 meeting, the Board reviewed requests from multiple pharmacies to allow for flexibility in staffing ratios in pharmacies. The members took note of the following staffing ratios in current rules:
 - A. Within §709 – *Scope of Practice*, Subsection B provides a 1:1 ratio for pharmacists supervising pharmacy interns; however, in pharmacies which are rotation sites for board-approved colleges of pharmacy, the rule provides a 3:1 ratio, allowing one pharmacist to supervise up to 3 pharmacy interns on rotation.
 - B. Within §907 – *Scope of Practice*, Subsection A provides a 1:1 ratio for pharmacists supervising pharmacy technician candidates. Further, the rule provides a staffing ratio for certified pharmacy technicians of 2:1, allowing one pharmacist to supervise two technicians. The rule provides additional flexibility, that when there are no pharmacy technician candidates present, a pharmacist may supervise a maximum of three technicians.
2. The Board observed that most pharmacists are currently permitted to supervise up to four licensed personnel (one intern plus three technicians). The members determined it appropriate to allow a supervising pharmacist to adjust the ratios of different categories of personnel as long as the present maximum of four licensed persons is maintained. For example, the pharmacist may supervise four interns, or two interns and two technicians, or three technicians and one candidate, or any other four person combination.
3. ~~The Board determined it appropriate to maintain the definition of ‘direct and immediate supervision, in that the pharmacist supervising the personnel need not maintain line of sight with the personnel, but shall remain on-site. On-site includes a multi-level building such as a hospital or a single level building spanning any size.~~ On reconsideration, the Board relaxed the ‘direct and immediate’ level of supervision but cautioned the supervising pharmacist of their responsibility for the proper supervision of their licensed personnel.
4. The Board determined it appropriate to terminate this rule waiver upon the earliest of the following two dates: (1) September 30, 2020; or (2) termination of the public health emergency.

5. Noting the Board is scheduled to meet on November 18 and in lieu of calling a special meeting of the Board for this purpose, the Board President, with the concurrence of the Executive Committee, determined it appropriate to further extend this rule waiver and terminate it upon the earliest of the following two dates: (1) December 31, 2020; or (2) termination of the public health emergency.
6. During their November 18, 2020 meeting, the members voted to further extend this interim policy until February 28, 2021 and requested staff to notify pharmacies of the planned termination date.
7. During their February 24, 2021 meeting, the members voted to further extend this interim policy until December 31, 2021 and requested staff to notify pharmacies of the planned termination date.

Revision History

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| 02-24-2021 | Added Item 7, extending the policy until December 31, 2021 and giving notice to pharmacies of the planned termination date. |
| 11-18-2020 | Added Item 6, extending the policy until February 28, 2021 and giving notice to pharmacies of the planned termination date. |
| 08-30-2020 | Added Item 5; the Board President, with the concurrence of the Executive Committee, agreed to further extend this rule waiver to December 31, 2020 unless the public health emergency is terminated sooner. |
| 04-02-2020 | Amended Item 3 to remove the requirement for the 'direct and immediate' level of supervision, allowing supervising pharmacists to determine how to properly supervise other licensed personnel assisting them. |