

**TITLE 535. OKLAHOMA STATE BOARD OF PHARMACY  
CHAPTER 15. PHARMACIES**

***Rule Impact Statement***

**I. Brief description of the purpose of the proposed rule:**

Subchapter 3. Pharmacies

535:15-3-2. Pharmacy responsibilities [AMENDED]

Subchapter 5. Hospital Pharmacies

535:15-5-7.1. Pharmacy technician qualifications and training [AMENDED]

Subchapter 13. Pharmacy Supportive Personnel

535:15-13-3. Definitions [AMENDED]

535:15-13-4. Pharmacy technician qualifications and training [AMENDED]

535:15-13-5. Supervision of pharmacy technicians [AMENDED]

Subchapter 17. Nuclear Pharmacy

535:15-17-11. Supervision of licensed pharmacy technicians in a licensed nuclear pharmacy [AMENDED]

The revision to 535:15-3-2 adds to (b)(3) “Remote Medication Order Processing (RMOP) pharmacies” as a licensed pharmacy that is exempt from the rule that requires a Pharmacist in Charge (PIC) to serve in no more than one pharmacy at a time.

The revision to 535:15-13-5: replaces, in (c), the word “two” with the word “four” to now require a ratio of no more than four pharmacy technicians to one supervising pharmacist on duty for a pharmacy; removes (d) (the rule allowing a licensed pharmacy that conducts significant compounding to utilize up to two pharmacy technicians specifically trained in compounding who shall, only while performing compounding duties, not be counted for the purposes of the pharmacy technician to pharmacist ratio of two pharmacy technicians to one supervising pharmacist); and then reorganizes the current (e) to (d), and the current (f) to (e) since (d) will be removed. As a result of removing (d) in 535:15-13-5, the revision in 535:15-13-3 removes the definition of “Significant Compounding” from the pharmacy supportive personnel rules since the phrase appears only in (d) which will be removed from 535:15-13-5. These proposed changes are consistent with the amendment to 59 O.S., § 353.18A (effective November 1, 2025) which increases the pharmacy technician-to-pharmacist ratio for licensed retail pharmacies to 4:1.

The revision to 535:15-17-11 replaces, in (b), the word “three” with the word “four” to now require a ratio of no more than four pharmacy technicians to one supervising pharmacist in a nuclear pharmacy. This proposed change is consistent with the amendment to 59 O.S., § 353.18A (effective November 1, 2025) which increases the pharmacy technician-to-pharmacist ratio for licensed retail pharmacies to 4:1.

The revision to 535:15-13-4 (which relates to all types of licensed retail pharmacy supportive personnel except hospital pharmacy supportive personnel) adds, to (a), parts (1), (2), and (3) to: allow, at (1), pharmacy technician applicants, who are seventeen-years of age or older and enrolled in an approved youth apprenticeship program or pharmacy technician training program through the Oklahoma Department of Career and Technology Education, to complete

their Phase II pharmacy technician training in a pharmacy without being employed at the pharmacy; require, at (1), that all such programs receive initial and annual approval from the Oklahoma State Board of Pharmacy; require, at (1), that the training permits of such pharmacy technician applicants only be used for educational purposes within a Board-approved program; require, at (2), all approved youth apprenticeship and pharmacy technician training programs to carry liability insurance covering students at all pharmacy training sites; and require, at (3), all pharmacy technician trainees in approved programs to be directly supervised by a pharmacist in the same manner as any other pharmacy employee. This proposed change is consistent with the new law codified at 59 O.S., § 353.18B (effective November 1, 2025).

Similarly, the revision to 535:15-5-7.1 (which relates to hospital pharmacy supportive personnel) adds, to (a), parts (1), (2), and (3) to: allow, at (1), pharmacy technician applicants, who are seventeen-years of age or older and enrolled in an approved youth apprenticeship program or pharmacy technician training program through the Oklahoma Department of Career and Technology Education, to complete their Phase II pharmacy technician training in a pharmacy without being employed at the pharmacy; require, at (1), that all such programs receive initial and annual approval from the Oklahoma State Board of Pharmacy; require, at (1), that the training permits of such pharmacy technician applicants only be used for educational purposes within a Board-approved program; require, at (2), all approved youth apprenticeship and pharmacy technician training programs to carry liability insurance covering students at all pharmacy training sites; and require, at (3), all pharmacy technician trainees in approved programs to be directly supervised by a pharmacist in the same manner as any other pharmacy employee. This proposed change is consistent with the new law codified at 59 O.S., § 353.18B (effective November 1, 2025).

## **II. A statement of the need for the rule and legal basis supporting it:**

The proposed changes to 535:15-13-5 and 535:15-17-11 are needed due to the amendment to 59 O.S., § 353.18A (effective November 1, 2025) which increases the pharmacy technician-to-pharmacist ratio for licensed retail pharmacies to 4:1.

The proposed changes to 535:15-13-4(a) and 535:15-5-7.1(a) are needed due to the new law codified at 59 O.S., § 353.18B (effective November 1, 2025) regarding pharmacy technician youth apprenticeship programs or pharmacy technician training programs through the Oklahoma Department of Career and Technology Education.

The proposed change to 535:15-3-2 is needed to make Remote Medication Order Processing (RMOP) pharmacy licenses more accessible – particularly for rural hospitals with limited pharmacists on staff. The proposed change will also provide the appropriate level of accountability for pharmacists in charge (PICs) of RMOP pharmacies.

The Oklahoma Pharmacy Act, 59 O.S., § 353 *et seq.*, specifically including 59 O.S., §§ 353.7, 353.18A, 353.18B, and 353.24, provides authority for all proposed rule changes.

- III. Classification of the rule as major or nonmajor, with a justification for the classification, including an estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, state or local government units, or individuals and a determination of whether those costs will exceed One Million Dollars (\$1,000,000.00) over the initial five-year period following the promulgation of the proposed rule. Provided, if the costs exceed One Million Dollars (\$1,000,000.00), the agency shall classify the rule as a major rule:**

The proposed rule changes are nonmajor. There are no foreseen economic impacts in the implementation and enforcement/compliance of the proposed rules.

- IV. A description of the purpose of the proposed rule, including a determination of whether the proposed rule is mandated by federal law, or as a requirement for participation in or implementation of a federally subsidized or assisted program, and whether the proposed rule exceeds the requirements of the applicable federal law / A summary and preliminary comparison of any existing or proposed federal regulations that are intended to address the activities to be regulated by the proposed rule:**

The proposed rule changes are not mandated by federal law and are not a requirement for participation in or implementation of a federally subsidized or assisted program.

- V. Description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the costs of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:**

There are no foreseen cost impacts, nor have there been any received reports of cost impacts from private or public entities.

Remote Medication Order Processing (RMOP) pharmacies Pharmacists in Charge (PICs) at RMOPs will be affected by the proposed rule exempting RMOPs from the requirement that no pharmacist may serve as PIC in more than one pharmacy at a time.

All types of licensed retail pharmacies, including nuclear pharmacies, will be affected by the proposed rule increasing the ratio of pharmacy technicians per supervising pharmacist from 2:1 and 3:1, respectively, to 4:1.

All types of licensed retail pharmacies, including hospital pharmacies, and pharmacists, pharmacy staff, and future pharmacy technician applicants/students will be affected by the proposed rule allowing pharmacy technician applicants, who are seventeen-years of age or older and enrolled in an approved youth apprenticeship program or pharmacy technician training program through the Oklahoma Department of Career and Technology Education, to complete their Phase II pharmacy technician training in a pharmacy without being employed

at the pharmacy. Any Oklahoma State Pharmacy Board approved youth apprenticeship and pharmacy technician training programs will be affected by the proposed rule requiring such programs to carry liability insurance covering students at all pharmacy training sites.

**VI. Description of the classes of persons who will benefit from the proposed rule change:**

It is believed that Remote Medication Order Processing (RMOP) pharmacies and Pharmacists in Charge (PICs) at RMOPs will benefit from the proposed rule exempting RMOPs from the requirement that no pharmacist may serve as PIC in more than one pharmacy at a time. Additionally, hospitals with limited pharmacists on staff, particularly rural hospitals, will benefit from the proposed rule as it will make the RMOP pharmacy license more accessible.

It is believed that all types of licensed retail pharmacies, including nuclear pharmacies, will benefit from the proposed rule increasing the ratio of pharmacy technicians per supervising pharmacist from 2:1 and 3:1, respectively, to 4:1.

It is believed that all types of pharmacies, including hospital pharmacies, and pharmacists, pharmacy staff, and future pharmacy technician applicants/students will benefit from the proposed rule allowing pharmacy technician applicants, who are seventeen-years of age or older and enrolled in an approved youth apprenticeship program or pharmacy technician training program through the Oklahoma Department of Career and Technology Education, to complete their Phase II pharmacy technician training in a pharmacy without being employed at the pharmacy.

**VII. Description of the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change / A comprehensive analysis of the rule's economic impact, including any anticipated impacts on the full-time-employee count of the agency, any costs or benefits, and a detailed quantification of implementation and compliance costs on the affected businesses, business sectors, public utility ratepayers, individuals, state or local government units, and on the state economy as a whole. The analysis shall include a listing of all fee changes and, whenever possible, a separate justification for each fee change / A detailed explanation of the methodology and assumptions used to determine the economic impact, including the dollar amounts calculated:**

There are no foreseen economic impacts or compliance costs of the proposed rules. The proposed rules do not include any imposition of fees or fee changes.

**VIII. Determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:**

There is no foreseen economic impact on any political subdivision as a result of implementing the proposed rules. Nor would any political subdivision be required to participate or cooperate in the implementation or enforcement of the proposed rules.

**IX. Determination of whether implementation of the proposed rule may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:**

No adverse economic effect on small business is anticipated as a result of implementing the proposed rules.

**X. Probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency / Estimates of the amount of time that would be spent by state employees to develop the rule and of the amount of other resources that would be utilized to develop the rule:**

There are no foreseen costs to the agency or any other agency in the implementation and enforcement of the proposed rules and there is no anticipated effect on state revenues.

**XI. Any measures taken by the agency to minimize the cost and impact of the proposed rule on business and economic development in this state, local government units of this state, and individuals / Explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or nonregulatory methods or less intrusive methods for achieving the purpose of the proposed rule / An analysis of alternatives to adopting the rule:**

No foreseen economic impact or compliance costs associated with implementing the proposed rules are anticipated. Without economic impact or compliance costs, an analysis of alternatives to adopting the proposed rules or a finding concerning less costly, nonregulatory, or less intrusive methods to achieve the purpose of the proposed rules is unnecessary.

**XII. Determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:**

The proposed rules are not designed to reduce significant risks to public health, safety and the environment. The proposed rules will not affect the public health, safety, and environment.

**XIII. Determination of any detrimental effect on the public health, safety, and environment if the rule is not implemented:**

No detrimental effect on the public health, safety, and environment is anticipated as a result of the failure to implement the proposed rules.

**XIV. Date the rule impact statement was prepared and if modified, the date modified:**

Date prepared: September 26, 2025