2022 Regular Session

HOUSE BILL NO. 424

#### BY REPRESENTATIVE TURNER

# VACCINES/VACCINATION: Provides relative to administration of immunizations and vaccines by pharmacists and other licensees of the La. Board of Pharmacy

| 1  | AN ACT   |
|----|--|
| 2  | To amend and reenact R.S. 37:1218 and 1218.1(A), relative to administration of       |
| 3  | immunizations and vaccines by pharmacists and other licensees of the Louisiana       |
| 4  | Board of Pharmacy; to decrease the minimum age at which a person may receive an      |
| 5  | immunization or vaccine from certain licensees of the Louisiana Board of Pharmacy;   |
| 6  | to establish requirements and standards for certain licensees of the Louisiana Board |
| 7  | of Pharmacy relative to administration of immunizations and vaccines; to make        |
| 8  | technical changes and corrections; and to provide for related matters.               |
| 9  | Be it enacted by the Legislature of Louisiana:                                       |
| 10 | Section 1. R.S. 37:1218 and 1218.1(A) are hereby amended and reenacted to read       |
| 11 | as follows:  |
| 12 | §1218. Administration of influenza immunization                                      |
| 13 | A pharmacist, a pharmacy intern supervised by a pharmacist, or a certified           |
| 14 | pharmacy technician supervised by a pharmacist may administer an influenza           |
| 15 | immunization to any person seven years of age or older without a prescription or     |
| 16 | medical order contingent upon all of the following provisions:                       |
| 17 | (1) The pharmacist, pharmacy intern, or certified pharmacy technician shall          |
| 18 | administer influenza immunizations in conformance with the most current annual       |
| 19 | influenza vaccination administration protocol as set forth by the United States      |

## Page 1 of 5

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

| 1  | Centers for Disease Control and Prevention (CDC) Advisory Committee on                 |
|----|--|
| 2  | Immunization Practice (ACIP).  |
| 3  | (2) The pharmacist or his agent shall report each influenza immunization to            |
| 4  | the Louisiana Office of Public Health Immunization Registry Louisiana                  |
| 5  | Immunization Network for Kids Statewide system of the Louisiana Department of          |
| 6  | Health, office of public health at the time of the immunization or as soon as          |
| 7  | reasonably practicable thereafter.   |
| 8  | (3) The pharmacist <u>or his agent</u> shall report all adverse events he observes     |
| 9  | or which are reported to him to the Vaccine Adverse Events Event Reporting System      |
| 10 | (VAERS), the cooperative program of the CDC United States Centers for Disease          |
| 11 | Control and Prevention and the United States Food and Drug Administration for          |
| 12 | vaccine safety, or its successor program; and, further, the pharmacist shall refer the |
| 13 | patient with an adverse event to the influenza immunization for appropriate medical    |
| 14 | care.  |
| 15 | (4) The pharmacist or his agent shall maintain for at least two years a record         |
| 16 | of each influenza immunization administered.   |
| 17 | (5) The pharmacist, pharmacy intern, or certified pharmacy technician shall            |
| 18 | obtain the appropriate credential to administer influenza immunizations from the       |
| 19 | board education and training, as administratively defined, prior to administering any  |
| 20 | such immunization; and, further, shall retain evidence of his continuing competency    |
| 21 | for administering such immunizations as administratively defined and required by       |
| 22 | the board.   |
| 23 | §1218.1. Administration of immunizations and vaccines other than influenza             |
| 24 | immunizations  |
| 25 | A.(1) A pharmacist, a pharmacy intern supervised by a pharmacist, or a                 |
| 26 | certified pharmacy technician supervised by a pharmacist may administer to an          |
| 27 | individual age seventeen seven or older an immunization or a vaccine without a         |
| 28 | patient-specific prescription or medical order if the immunization or the vaccine is   |
| 29 | administered in conformance with the most current immunization administration          |

# Page 2 of 5

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

| 1  | protocol as set forth by the United States Centers for Disease Control and Prevention  |
|----|--|
| 2  | Advisory Committee on Immunization Practice. At the time that a pharmacist,            |
| 3  | pharmacy intern, or certified pharmacy technician administers an immunization or       |
| 4  | vaccine to an individual under the provisions of this Section, the pharmacist he shall |
| 5  | also inform the individual that the administration of an immunization or vaccine       |
| 6  | under this Section is not to be construed as being in lieu of an annual checkup with   |
| 7  | the individual's primary care or family physician. Pharmacies shall display signage    |
| 8  | in the immunization areas that inform parents and guardians of the importance of       |
| 9  | annual pediatric well-child visits.  |
| 10 | (1) (2) The pharmacist or his agent shall report each immunization to the              |
| 11 | Louisiana Department of Health, office of public health's Louisiana Immunization       |
| 12 | Network for Kids Statewide at the time of the immunization or as soon as reasonably    |
| 13 | practicable thereafter, as this is the official state vaccination record.              |
| 14 | (2) $(3)$ The pharmacist or his agent shall report all adverse events he               |
| 15 | observes or which are reported to him to the Vaccine Adverse Events Reporting          |
| 16 | System, the cooperative program of the United States Centers for Disease Control       |
| 17 | and Prevention and the United States Food and Drug Administration for vaccine          |
| 18 | safety, or its successor program; and, further, the pharmacist shall refer the patient |
| 19 | with an adverse event to an immunization for appropriate medical care.                 |
| 20 | (3) (4) The pharmacist or his agent shall maintain for at least two years a            |
| 21 | record of each immunization administered.  |
| 22 | (4) The (5) Any pharmacist, pharmacy intern, or certified pharmacy                     |
| 23 | technician who administers immunizations as authorized in this Section shall obtain    |
| 24 | the appropriate credentials to administer immunizations from the board education       |
| 25 | and training, as administratively defined, prior to administering any such             |
| 26 | immunization; and, further, shall retain evidence of his continuing competency for     |
| 27 | administering such immunizations as administratively defined and required by the       |
| 28 | board.   |

(5) (6) The pharmacist <u>or his agent</u> shall request the name of a patient's
primary care provider prior to the administering of any immunization. If the patient
identifies such primary care provider to the pharmacist <u>or his agent</u>, the pharmacist
<u>or his agent</u> shall notify the primary care provider, by written or electronic
communication, as soon as reasonably possible thereafter that the immunization was
administered.

### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

2022 Regular Session

Turner

Abstract: Authorizes pharmacy interns supervised by pharmacists and certified pharmacy technicians supervised by pharmacists to administer certain immunizations and vaccines; decreases the age threshold above which a person may receive an immunization or vaccine, other than one for influenza, from a licensee of the La. Board of Pharmacy.

<u>Present law</u> authorizes any pharmacist to administer an influenza immunization to any person seven years of age or older without a prescription or medical order if certain enumerated conditions and requirements set forth in <u>present law</u> are met.

<u>Proposed law</u> revises <u>present law</u> to extend to the following persons the conditional authorization to administer influenza immunizations provided in <u>present law</u>:

- (1) Any pharmacy intern supervised by a pharmacist.
- (2) Any certified pharmacy technician supervised by a pharmacist.

<u>Proposed law</u> retains <u>present law</u> providing enumerated conditions and requirements relative to administration of influenza immunizations by licensees of the La. Board of Pharmacy. Adds thereto a requirement that pharmacists, pharmacy interns, and certified pharmacy technicians who administer influenza immunizations retain evidence of their continuing competency for administering such immunizations as administratively defined and required by the La. Board of Pharmacy.

<u>Present law</u> authorizes any pharmacist to administer to an individual age seventeen or older an immunization or a vaccine other than one for influenza without a patient-specific prescription or medical order if certain conditions and requirements set forth in <u>present law</u> are met.

Proposed law revises present law in the following ways:

- (1) Extends to the following persons the conditional authorization to administer immunizations and vaccines other than those for influenza:
  - (a) Any pharmacy intern supervised by a pharmacist.

### Page 4 of 5

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

- (b) Any certified pharmacy technician supervised by a pharmacist.
- (2) Decreases <u>from</u> seventeen years of age <u>to</u> seven years of age the age threshold at which a person may receive immunizations and vaccines other than those for influenza from a licensee of the La. Board of Pharmacy (per <u>proposed law</u>, a pharmacist, pharmacy intern supervised by a pharmacist, and a certified pharmacy technician supervised by a pharmacist).

<u>Proposed law</u> retains <u>present law</u> providing enumerated conditions and requirements relative to administration of immunizations or vaccines other than those for influenza by licensees of the La. Board of Pharmacy. Adds thereto a requirement that pharmacists, pharmacy interns, and certified pharmacy technicians who administer immunizations and vaccines other than those for influenza retain evidence of their continuing competency for administering such immunizations and vaccines as administratively defined and required by the La. Board of Pharmacy.

<u>Proposed law</u> requires pharmacies to display signage in immunization areas that inform parents and guardians of the importance of annual pediatric well-child visits.

(Amends R.S. 37:1218 and 1218.1(A))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Health and Welfare</u> to the <u>original</u> bill:

- 1. Increases the age threshold provided in <u>proposed law</u> above which a person may receive an influenza immunization from a licensee of the La. Board of Pharmacy <u>from</u> age three to age seven, thereby reverting to the age threshold provided in <u>present law</u>.
- 2. Increases the age threshold provided in <u>proposed law</u> above which a person may receive an immunization or vaccine, other than one for influenza, from a licensee of the La. Board of Pharmacy <u>from</u> age three <u>to</u> age seven.
- 3. Require pharmacies to display signage in immunization areas that inform parents and guardians of the importance of annual pediatric well-child visits.