

§13831. Authority

1. Administration of influenza vaccines. A pharmacist licensed in this State who meets the qualifications and requirements of section 13832 and rules adopted by the board may administer topically or by injection or by inhalation all forms of influenza vaccines, including intranasal influenza vaccines, to a person 3 years of age or older without a prescription.

[PL 2023, c. 170, §1 (AMD).]

2. Administration of other vaccines. A pharmacist licensed in this State who meets the qualifications and requirements of section 13832 and rules adopted by the board, in addition to influenza vaccines under subsection 1, may administer vaccines licensed by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, for administration to a person 18 years of age or older. A pharmacist may administer vaccines licensed by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, for administration to a person 3 years of age or older and under 18 years of age according to a valid prescription from a prescriber licensed under chapters 31, 36 or 48. A pharmacist may administer vaccines licensed by the United States Food and Drug Administration that are outside the guidelines recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, for administration to a person 18 years of age or older according to a valid prescription if the prescription specifically states that the vaccine is medically necessary.

[PL 2023, c. 170, §2 (AMD).]

2-A. Administration of COVID-19 vaccines. A pharmacist licensed in this State who meets the qualifications and requirements of section 13832 and rules adopted by the board may administer and order COVID-19 vaccines licensed or authorized under an emergency use authorization by the United States Food and Drug Administration that are recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, to a person 3 years of age or older. For the purposes of this subsection, "COVID-19" has the same meaning as in Title 24-A, section 4320-P, subsection 1, paragraph A.

[PL 2021, c. 28, Pt. B, §2 (NEW).]

3. Emergency administration of certain drugs. A pharmacist may administer epinephrine or diphenhydramine, or both, to a person in an emergency situation resulting from an adverse reaction to a vaccine administered by the pharmacist.

[PL 2011, c. 577, §3 (AMD).]

4. Vaccine clinics. A pharmacist or pharmacy licensed under this chapter may operate a vaccine administration clinic inside, outside or off the pharmacy's premises if the pharmacist or pharmacy obtains approval from the board for the plan of operation of such clinics pursuant to rules adopted under section 13835, subsection 1.

[PL 2011, c. 577, §4 (NEW).]

5. Administration of injectable drugs. A pharmacist who meets the qualifications and requirements of section 13832 and rules adopted by the board may administer to adults by intramuscular and subcutaneous injection drugs approved by the United States Food and Drug Administration under the following conditions:

A. Upon the order of a practitioner to dispense and administer the drug, as long as the practitioner is notified after administration is complete in accordance with section 13833, subsection 3; or [PL 2021, c. 271, §3 (NEW).]

B. While engaged in collaborative drug therapy management pursuant to a collaborative practice agreement in accordance with the requirements of subchapter 14. [PL 2021, c. 271, §3 (NEW).]
[PL 2021, c. 271, §3 (NEW).]

6. Administration of vaccines by pharmacy technician. A pharmacy technician may administer vaccines in accordance with the requirements of this section if the pharmacy technician:

A. Holds a valid unrestricted pharmacy technician license in this State; [PL 2023, c. 245, §1 (NEW).]

B. Consistent with rules adopted by the board, works under the direct supervision of a pharmacist who meets the requirements of section 13832; [PL 2023, c. 245, §1 (NEW).]

C. Possesses a current certificate of administration issued by the board. The pharmacy technician must submit an application in the form prescribed by the board together with the requirements set forth under this section and certificate fee as set forth under section 13724. The certificate of administration expires and is subject to the conditions in the same manner as in section 13734; and [PL 2023, c. 245, §1 (NEW).]

D. Submits evidence acceptable to the board that the pharmacy technician has completed a certification program approved by the board consisting of at least 6 hours of vaccine-related training that includes, at a minimum, training on the safe and effective administration of vaccines, hands-on injection technique, clinical evaluation of indications and contraindications of vaccines and the recognition and treatment of emergency reactions to vaccines and cardiovascular life support training as described in section 13832, subsection 5. [PL 2023, c. 245, §1 (NEW).]

[PL 2023, c. 245, §1 (NEW).]

REVISOR'S NOTE: (Subsection 6 as enacted by PL 2023, c. 170, §3 is REALLOCATED TO TITLE 32, SECTION 13831, SUBSECTION 7)

7. (REALLOCATED FROM T. 32, §13831, sub-§6) Notification of vaccines administration.

A pharmacist licensed in this State who meets the qualifications and requirements of section 13832 and rules adopted by the board shall provide a written immunization record to the person, or the person's representative, receiving a vaccine administered under this section. Within 72 hours of administering a vaccine, a pharmacist shall notify the person's primary care provider, if any, of administration of the vaccine. Beginning August 1, 2023, a pharmacist shall report the administration of the vaccine to the appropriate state immunization information reporting system within 72 hours of administering the vaccine.

[PL 2023, c. 170, §3 (NEW); RR 2023, c. 1, Pt. A, §28 (RAL).]

SECTION HISTORY

PL 2009, c. 308, §3 (NEW). PL 2011, c. 577, §§3, 4 (AMD). PL 2013, c. 6, §1 (AMD). PL 2015, c. 211, §1 (AMD). PL 2021, c. 28, Pt. B, §2 (AMD). PL 2021, c. 271, §3 (AMD). PL 2023, c. 170, §§1-3 (AMD). PL 2023, c. 245, §1 (AMD). RR 2023, c. 1, Pt. A, §28 (COR).

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