

Regular Session, 2014

SENATE BILL NO. 600

BY SENATOR MILLS

HEALTH SERVICES. Provides relative to immunizations. (8/1/14)

AN ACT

To amend and reenact R.S. 37:1218.1, relative to immunizations and vaccines; to provide for the administering of immunizations and vaccines other than influenza immunizations by a pharmacist; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:1218.1 is hereby amended and reenacted to read as follows:

§1218.1. Administration of ~~certain~~ immunizations ~~in primary care health professional shortage areas~~ **and vaccines other than influenza immunizations**

~~A. In any parish designated wholly or in part as a primary care health professional shortage area as set forth under Section 332 of the Public Health Service Act, as determined by the United States Department of Health and Human Services, a pharmacist may administer any of the following vaccines, but only in conformance with the provisions of Subsection B of this Section:~~

~~(1) Pneumococcal, to any person eighteen years of age or older.~~

~~(2) Zoster, to any person fifty years of age or older.~~

~~B. The pharmacist shall administer each immunization in conformance with~~

1 ~~the most current vaccination administration as set forth by the United States Public~~
2 ~~Health Service Advisory Committee on Immunization Practices, following guidance~~
3 ~~published in the Louisiana State Immunization Policies and Procedures Manual, to~~
4 ~~participate in the program and to be covered by the National Vaccine Injury~~
5 ~~Compensation Fund.~~

6 **A. A pharmacist may administer to an individual age fourteen or older**
7 **an immunization or a vaccine without a patient-specific prescription or medical**
8 **order if the immunization or the vaccine is administered in conformance with**
9 **the most current immunization administration protocol as set forth by the**
10 **United States Centers for Disease Control and Prevention Advisory Committee**
11 **on Immunization Practice. At the time that a pharmacist administers an**
12 **immunization or vaccine under the provisions of this Section, the pharmacist**
13 **shall also inform the individual that the administration of an immunization or**
14 **vaccine under this Section is not to be construed as being in lieu of an annual**
15 **checkup with the individual's primary care or family physician.**

16 (1) The pharmacist shall report each immunization to the Department of
17 Health and Hospitals, office of public health's Louisiana Immunization Network for
18 Kids Statewide at the time of the immunization or as soon as reasonably practicable
19 thereafter, as this is the official state vaccination record.

20 (2) The pharmacist shall report all adverse events he observes or which are
21 reported to him to the Vaccine Adverse Events Reporting System, the cooperative
22 program of the United States Centers for Disease Control and Prevention and the
23 United States Food and Drug Administration for vaccine safety, or its successor
24 program; and further, the pharmacist shall refer the patient with an adverse event to
25 an immunization for appropriate medical care.

26 (3) The pharmacist shall maintain for at least two years a record of each
27 immunization administered.

28 (4) The pharmacist shall obtain the appropriate credentials to administer
29 immunizations from the board, as administratively defined, prior to administering

1 any such immunization.

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

7 **B. This Section shall not apply to the administering of an immunization**
8 **pursuant to R.S. 37:1218.**

The original instrument was prepared by Christopher D. Adams. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tammy Crain-Waldrop.

DIGEST

Mills (SB 600)

Present law provides in any parish designated wholly or in part as a primary care health professional shortage area as set forth under federal regulations, a pharmacist may administer any of the following vaccines, but only in conformance with the present law:

- (1) Pneumococcal, to any person eighteen years of age or older.
- (2) Zoster, to any person fifty years of age or older.

Present law provides the pharmacist shall administer each immunization in conformance with the most current vaccination administration as set forth by the United States Public Health Service Advisory Committee on Immunization Practices, following guidance published in the Louisiana State Immunization Policies and Procedures Manual, to participate in the program and to be covered by the National Vaccine Injury Compensation Fund.

- (1) The pharmacist shall report each immunization to the Department of Health and Hospitals, office of public health's Louisiana Immunization Network for Kids Statewide at the time of the immunization or as soon as reasonably practicable thereafter, as this is the official state vaccination record.
- (2) The pharmacist shall report all adverse events he observes or which are reported to him to the Vaccine Adverse Events Reporting System, the cooperative program of the United States Centers for Disease Control and Prevention and the United States Food and Drug Administration for vaccine safety, or its successor program; and further, the pharmacist shall refer the patient with an adverse event to an immunization for appropriate medical care.
- (3) The pharmacist shall maintain for at least two years a record of each immunization administered.
- (4) The pharmacist shall obtain the appropriate credentials to administer immunizations from the board, as administratively defined, prior to administering any such immunization.

- (5) The pharmacist 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, the pharmacist shall notify the primary care provider, by written or electronic communication, as soon as reasonably possible thereafter that the immunization was administered.

Proposed law amends present law to provide a pharmacist may administer to an individual age 14 or older an immunization or a vaccine without a patient specific prescription or medical order if the immunization or the vaccine is administered in conformance with the most current immunization administration protocol as set forth by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practice. At the time that a pharmacist administers an immunization or vaccine under the provisions of this Section, the pharmacist shall also inform the individual that the administration of an immunization or vaccine under this Section is not to be construed as being in lieu of an annual checkup with the individual's primary care or family physician.

- (1) The pharmacist shall report each immunization to the Department of Health and Hospitals, office of public health's Louisiana Immunization Network for Kids Statewide at the time of the immunization or as soon as reasonably practicable thereafter, as this is the official state vaccination record.
- (2) The pharmacist shall report all adverse events he observes or which are reported to him to the Vaccine Adverse Events Reporting System, the cooperative program of the United States Centers for Disease Control and Prevention and the United States Food and Drug Administration for vaccine safety, or its successor program; and further, the pharmacist shall refer the patient with an adverse event to an immunization for appropriate medical care.
- (3) The pharmacist shall maintain for at least two years a record of each immunization administered.
- (4) The pharmacist shall obtain the appropriate credentials to administer immunizations from the board, as administratively defined, prior to administering any such immunization.
- (5) The pharmacist 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, the pharmacist shall notify the primary care provider, by written or electronic communication, as soon as reasonably possible thereafter that the immunization was administered.

Proposed law does not apply to the administering of an immunization pursuant to R.S. 37:1218.

Effective August 1, 2014.

(Amends R.S. 37:1218.1)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill

1. Changes providing an immunization or vaccine by a pharmacist ~~from~~ applying to any individual to applying to an individual age fourteen or older.

Senate Floor Amendments to engrossed bill

1. Adds at the time that a pharmacist administers an immunization or vaccine, the pharmacist shall inform the individual that the administration of an immunization or vaccine is not to be construed as being in lieu of an annual checkup with the individual's primary care or family physician.