

2023 Regular Session

HOUSE BILL NO. 471

BY REPRESENTATIVE FREIBERG AND SENATOR BARROW

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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 the administration of
3 immunizations and vaccinations by pharmacists and other Louisiana Board of
4 Pharmacy licensees; to decrease the minimum age for which a person may receive
5 an immunization or vaccine from certain Louisiana Board of Pharmacy licensees; to
6 establish requirements and standards for certain Louisiana Board of Pharmacy
7 licensees relative to the administration of immunizations and vaccines; and to
8 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

1 Centers for Disease Control and Prevention Advisory Committee on Immunization
2 Practice.

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 or his agent shall report all adverse events he observes
9 or which are reported to him to the Vaccine Adverse Event Reporting System, the
10 cooperative program of the United States Centers for Disease Control and Prevention
11 and the United States Food and Drug Administration for vaccine safety, or its
12 successor program; and further, the pharmacist shall refer the patient with an adverse
13 event to the influenza immunization for appropriate medical care.

14 (4) The pharmacist or his agent shall maintain for at least two years a record
15 of each influenza immunization administered.

16 (5) The pharmacist, pharmacy intern, or certified pharmacy technician shall
17 obtain the appropriate ~~credential to administer influenza immunizations from the~~
18 ~~board~~ education and training, as administratively defined, prior to administering any
19 such immunization; and, further, shall retain evidence of his continuing competency
20 for administering such immunizations as administratively defined and required by
21 the board.

22 §1218.1. Administration of immunizations and vaccines other than influenza
23 immunizations

24 A.(1) A pharmacist, a pharmacy intern supervised by a pharmacist, or a
25 certified pharmacy technician supervised by a pharmacist may administer to an
26 individual age ~~seventeen~~ seven or older an immunization or a vaccine without a
27 patient-specific prescription or medical order if the immunization or the vaccine is
28 administered in conformance with the most current immunization administration
29 protocol as set forth by the United States Centers for Disease Control and Prevention

1 Advisory Committee on Immunization Practice. At the time that a pharmacist,
2 pharmacy intern, or certified pharmacy technician administers an immunization or
3 vaccine to an individual in accordance with the provisions of this Section, ~~the~~
4 ~~pharmacist~~ he shall also inform the individual that the administration of an
5 immunization or vaccine in accordance with the provisions of this Section is not to
6 be construed as being in lieu of an annual checkup with the individual's primary care
7 or family physician. Pharmacies shall display signage in the immunization areas that
8 inform parents and guardians of the importance of annual pediatric well-child visits.

9 (2) The pharmacist or his agent shall report each immunization to the
10 Louisiana Department of Health, office of public health's Louisiana Immunization
11 Network for Kids Statewide at the time of the immunization or as soon as reasonably
12 practicable thereafter, as this is the official state vaccination record.

13 (3) The pharmacist or his agent shall report all adverse events he observes
14 or which are reported to him to the Vaccine Adverse Event Reporting System, the
15 cooperative program of the United States Centers for Disease Control and Prevention
16 and the United States Food and Drug Administration for vaccine safety, or its
17 successor program; and further, the pharmacist shall refer the patient with an adverse
18 event to an immunization for appropriate medical care.

19 (4) The pharmacist or his agent shall maintain for at least two years a record
20 of each immunization administered.

21 (5) ~~The~~ Any pharmacist, pharmacy intern, or certified pharmacy technician
22 who administers immunizations as authorized in this Section shall obtain the
23 appropriate ~~credentials to administer immunizations from the board~~ education and
24 training, as administratively defined, prior to administering any such immunization;
25 and, further, shall retain evidence of his continuing competency for administering
26 such immunizations as administratively defined and required by the board.

27 (6) The pharmacist or his agent shall request the name of a patient's primary
28 care provider prior to the administering of any immunization. If the patient identifies
29 such primary care provider to the pharmacist or his agent, the pharmacist or his agent

1 shall notify the primary care provider, by written or electronic communication, as
2 soon as reasonably possible thereafter that the immunization was administered.

3 * * *

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)]

HB 471 Engrossed 2023 Regular Session Freiberg

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.

Present law 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 present law are met.

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

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

Proposed law retains present law providing enumerated conditions and requirements relative to administration of influenza immunizations by licensees of the La. Board of Pharmacy.

Proposed law adds 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 and obtain the appropriate education and training.

Present law authorizes any pharmacist to administer to an individual age 17 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 present law 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.
 - (b) Any certified pharmacy technician supervised by a pharmacist.
- (2) Decreases the individual's age threshold for which a pharmacist may administer an immunization or vaccination from 17 years of age to seven years of age.

Proposed law retains present law 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.

Proposed law adds 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.

Proposed law adds provisions for the agent of the pharmacist.

Proposed law 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))