

As Introduced

130th General Assembly
Regular Session
2013-2014

H. B. No. 394

Representatives Smith, Antonio

—

A BILL

To amend section 4729.41 of the Revised Code 1
regarding the authority of pharmacists and 2
pharmacy interns to administer immunizations. 3

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4729.41 of the Revised Code be 4
amended to read as follows: 5

Sec. 4729.41. (A)(1) A pharmacist licensed under this chapter 6
who meets the requirements of division (B) of this section, and a 7
pharmacy intern licensed under this chapter who meets the 8
requirements of division (B) of this section and is working under 9
the direct supervision of a pharmacist who meets the requirements 10
of that division, may do any administer to individuals who are 11
seven years of age or older either of the following: 12

(a) ~~Administer immunizations for influenza to individuals~~ 13
~~fourteen years of age or older;~~ 14

(b) ~~Administer immunizations to individuals eighteen years of~~ 15
~~age or older for any of the following:~~ 16

(i) ~~Pneumonia;~~ 17

(ii) ~~Tetanus;~~ 18

(iii) ~~Hepatitis A;~~ 19

(iv) Hepatitis B;	20
(v) Meningitis;	21
(vi) Diphtheria;	22
(vii) Pertussis.	23
(c) Administer to individuals eighteen years of age or older	24
any other immunization listed in the rule <u>Any immunization that on</u>	25
<u>the effective date of this amendment is included in either of the</u>	26
<u>following immunization schedules recommended by the advisory</u>	27
<u>committee on immunization practices of the centers for disease</u>	28
<u>control and prevention in the United States department of health</u>	29
<u>and human services:</u>	30
<u>(i) The recommended immunization schedule for persons aged</u>	31
<u>zero through eighteen years;</u>	32
<u>(ii) The recommended adult immunization schedule.</u>	33
<u>(b) Any other immunization specified in rules adopted under</u>	34
division (E)(1)(d) of this section.	35
(2) A pharmacy intern licensed under this chapter who meets	36
the requirements of division (B) of this section and is working	37
under the direct supervision of a pharmacist who meets the	38
requirements of that division may administer immunizations for	39
influenza to individuals eighteen years of age or older.	40
(3) As part of engaging in the administration of	41
immunizations or supervising a pharmacy intern's administration of	42
immunizations, a pharmacist may administer epinephrine or	43
diphenhydramine, or both, to individuals in emergency situations	44
resulting from adverse reactions to the immunizations administered	45
by the pharmacist or pharmacy intern.	46
(B) For a pharmacist or pharmacy intern to be authorized to	47
engage in the administration of immunizations as specified in	48
<u>pursuant to</u> division (A) of this section, the pharmacist or	49

pharmacy intern shall do all of the following: 50

(1) Successfully complete a course in the administration of 51
immunizations that has been approved by the state board of 52
pharmacy as meeting the standards established for such courses by 53
the centers for disease control and prevention ~~in the public~~ 54
~~health service of the United States department of health and human~~ 55
~~services;~~ 56

(2) Receive and maintain certification to perform basic 57
life-support procedures by successfully completing a basic 58
life-support training course certified by the American red cross 59
or American heart association; 60

(3) Practice in accordance with a definitive set of treatment 61
guidelines specified in a protocol established by a physician and 62
approved by the state board of pharmacy. 63

(C) The protocol required by division (B)(3) of this section 64
shall include provisions for implementation of the following 65
requirements: 66

(1) The pharmacist or pharmacy intern who administers an 67
immunization shall observe the individual who receives the 68
immunization to determine whether the individual has an adverse 69
reaction to the immunization. The length of time and location of 70
the observation shall comply with the standards specified in rules 71
adopted by the state board of pharmacy under division (E) of this 72
section for the approval of protocols. The protocol shall specify 73
procedures to be followed by a pharmacist when administering 74
epinephrine, diphenhydramine, or both, to an individual who has an 75
adverse reaction to an immunization administered by the pharmacist 76
or a pharmacy intern. 77

(2) For each immunization administered to an individual by a 78
pharmacist or pharmacy intern, other than an immunization for 79
influenza administered to an individual eighteen years of age or 80

older, the pharmacist or pharmacy intern shall notify the 81
individual's family physician or, if the individual has no family 82
physician, the board of health of the health district in which the 83
individual resides or the authority having the duties of a board 84
of health for that district under section 3709.05 of the Revised 85
Code. The notice shall be given not later than thirty days after 86
the immunization is administered. 87

(3) For each immunization ~~for influenza~~ administered by a 88
pharmacist or pharmacy intern to an individual who is ~~fourteen~~ 89
seven years of age or older but younger than eighteen years of 90
age, the pharmacist or a pharmacy intern shall obtain permission 91
from the individual's parent or legal guardian in accordance with 92
the procedures specified in rules adopted under division (E) of 93
this section. 94

(D)(1) No pharmacist shall do either of the following: 95

(a) Engage in the administration of immunizations unless the 96
requirements of division (B) of this section have been met; 97

(b) Delegate to any person the pharmacist's authority to 98
engage in or supervise the administration of immunizations. 99

(2) No pharmacy intern shall engage in the administration of 100
immunizations ~~for influenza~~ unless the requirements of division 101
(B) of this section have been met. 102

(E)(1) The state board of pharmacy shall adopt rules to 103
implement this section. The rules shall be adopted in accordance 104
with Chapter 119. of the Revised Code and shall include the 105
following: 106

(a) Provisions for approval of courses in administration of 107
immunizations; 108

(b) Provisions for approval of protocols to be followed by 109
pharmacists and pharmacy interns in engaging in the administration 110

of immunizations, including protocols that contain provisions 111
specifying the locations at which a pharmacist or pharmacy intern 112
may engage in the administration of immunizations; 113

(c) Procedures to be followed by pharmacists and pharmacy 114
interns in obtaining from the individual's parent or legal 115
guardian permission to administer ~~influenza~~ immunizations to an 116
individual younger than eighteen years of age pursuant to division 117
(A)(1)~~(a)~~ of this section; 118

(d) ~~A list of~~ Provisions specifying any immunizations that 119
may be administered under division (A)(1)~~(e)~~(b) of this section. 120

(2) Prior to adopting rules regarding approval of protocols 121
to be followed by pharmacists and pharmacy interns in engaging in 122
the administration of immunizations, the state board of pharmacy 123
shall consult with the state medical board and the board of 124
nursing. 125

(3) Prior to adopting ~~a rule listing~~ rules specifying any 126
immunizations that may be administered under division (A)(1)~~(e)~~(b) 127
of this section, the state board of pharmacy shall consult with 128
the state medical board. 129

(F) In addition to the rules it adopts under division (E) of 130
this section, the board may adopt rules in accordance with Chapter 131
119. of the Revised Code that change the immunizations authorized 132
by division (A)(1)(a) of this section to reflect changes in the 133
recommendations of the advisory committee on immunization 134
practices. 135

Section 2. That existing section 4729.41 of the Revised Code 136
is hereby repealed. 137