

As Introduced

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S. B. No. 79

Senator Kearney

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A B I L L

To amend section 4729.41 of the Revised Code to 1
decrease the minimum age for which a pharmacist 2
may administer certain vaccinations. 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 may do 7
any of the following: 8

(a) ~~Administer immunizations for influenza to individuals 9
fourteen years of age or older;~~ 10

~~(b)~~ Administer immunizations to individuals ~~eighteen~~ seven 11
years of age or older for any of the following: 12

(i) Influenza; 13

(ii) Pneumonia; 14

~~(ii)~~(iii) Tetanus; 15

~~(iii)~~(iv) Hepatitis A; 16

~~(iv)~~(v) Hepatitis B; 17

~~(v)~~(vi) Meningitis; 18

(vi) <u>(vii)</u> Diphtheria;	19
(vii) <u>(viii)</u> Pertussis.	20
(e) <u>(b)</u> Administer to individuals eighteen years of age or older any other immunization listed in the rule adopted under division (E)(1)(d) of this section.	21 22 23
(2) A pharmacy intern licensed under this chapter who meets the requirements of division (B) of this section and is working under the direct supervision of a pharmacist who meets the requirements of that division may administer immunizations for influenza to individuals eighteen years of age or older.	24 25 26 27 28
(3) As part of engaging in the administration of immunizations or supervising a pharmacy intern's administration of immunizations, a pharmacist may administer epinephrine or diphenhydramine, or both, to individuals in emergency situations resulting from adverse reactions to the immunizations administered by the pharmacist or pharmacy intern.	29 30 31 32 33 34
(B) For a pharmacist or pharmacy intern to be authorized to engage in the administration of immunizations as specified in division (A) of this section, the pharmacist or pharmacy intern shall do all of the following:	35 36 37 38
(1) Successfully complete a course in the administration of immunizations that has been approved by the state board of pharmacy as meeting the standards established for such courses by the centers for disease control and prevention in the public health service of the United States department of health and human services;	39 40 41 42 43 44
(2) Receive and maintain certification to perform basic life-support procedures by successfully completing a basic life-support training course certified by the American red cross or American heart association;	45 46 47 48

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

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

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

(2) For each immunization administered to an individual by a pharmacist, other than an immunization for influenza administered to an individual eighteen years of age or older, the pharmacist shall notify the individual's family physician or, if the individual has no family physician, the board of health of the health district in which the individual resides or the authority having the duties of a board of health for that district under section 3709.05 of the Revised Code. The notice shall be given not later than thirty days after the immunization is administered.

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

(D)(1) No pharmacist shall do either of the following:	81
(a) Engage in the administration of immunizations unless the requirements of division (B) of this section have been met;	82 83
(b) Delegate to any person the pharmacist's authority to engage in or supervise the administration of immunizations.	84 85
(2) No pharmacy intern shall engage in the administration of immunizations for influenza unless the requirements of division (B) of this section have been met.	86 87 88
(E)(1) The state board of pharmacy shall adopt rules to implement this section. The rules shall be adopted in accordance with Chapter 119. of the Revised Code and shall include the following:	89 90 91 92
(a) Provisions for approval of courses in administration of immunizations;	93 94
(b) Provisions for approval of protocols to be followed by pharmacists and pharmacy interns in engaging in the administration of immunizations, including protocols that contain provisions specifying the locations at which a pharmacist or pharmacy intern may engage in the administration of immunizations;	95 96 97 98 99
(c) Procedures to be followed by pharmacists and pharmacy interns in obtaining from the individual's parent or legal guardian permission to administer influenza immunizations to an individual younger than eighteen years of age pursuant to division (A)(1)(a) of this section;	100 101 102 103 104
(d) A list of immunizations that may be administered under division (A)(1) (e) <u>(b)</u> of this section.	105 106
(2) Prior to adopting rules regarding approval of protocols to be followed by pharmacists and pharmacy interns in engaging in the administration of immunizations, the state board of pharmacy shall consult with the state medical board and the board of	107 108 109 110

nursing. 111

(3) Prior to adopting a rule listing immunizations that may 112
be administered under division (A)(1)~~(e)~~(b) of this section, the 113
state board of pharmacy shall consult with the state medical 114
board. 115

Section 2. That existing section 4729.41 of the Revised Code 116
is hereby repealed. 117