

As Introduced

**130th General Assembly
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S. B. No. 81

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 pharmacy 2
intern may administer an influenza vaccination. 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 years of 11
age or older for any of the following: 12

(i) Pneumonia; 13

(ii) Tetanus; 14

(iii) Hepatitis A; 15

(iv) Hepatitis B; 16

(v) Meningitis; 17

(vi) Diphtheria; 18

(vii) Pertussis.	19
(c) 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.	20 21 22
(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 <u>fourteen</u> years of age or older.	23 24 25 26 27
(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.	28 29 30 31 32 33
(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:	34 35 36 37
(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;	38 39 40 41 42 43
(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;	44 45 46 47
(3) Practice in accordance with a definitive set of treatment guidelines specified in a protocol established by a physician and	48 49

approved by the state board of pharmacy. 50

(C) The protocol required by division (B)(3) of this section 51
shall include provisions for implementation of the following 52
requirements: 53

(1) The pharmacist or pharmacy intern who administers an 54
immunization shall observe the individual who receives the 55
immunization to determine whether the individual has an adverse 56
reaction to the immunization. The length of time and location of 57
the observation shall comply with the standards specified in rules 58
adopted by the state board of pharmacy under division (E) of this 59
section for the approval of protocols. The protocol shall specify 60
procedures to be followed by a pharmacist when administering 61
epinephrine, diphenhydramine, or both, to an individual who has an 62
adverse reaction to an immunization administered by the pharmacist 63
or a pharmacy intern. 64

(2) For each immunization administered to an individual by a 65
pharmacist or pharmacy intern, other than an immunization for 66
influenza administered to an individual eighteen years of age or 67
older, the pharmacist or pharmacy intern shall notify the 68
individual's family physician or, if the individual has no family 69
physician, the board of health of the health district in which the 70
individual resides or the authority having the duties of a board 71
of health for that district under section 3709.05 of the Revised 72
Code. The notice shall be given not later than thirty days after 73
the immunization is administered. 74

(3) For each immunization for influenza administered by a 75
pharmacist or pharmacy intern to an individual who is fourteen 76
years of age or older but younger than eighteen years of age, the 77
pharmacist or a pharmacy intern shall obtain permission from the 78
individual's parent or legal guardian in accordance with the 79
procedures specified in rules adopted under division (E) of this 80
section. 81

(D)(1) No pharmacist shall do either of the following:	82
(a) Engage in the administration of immunizations unless the requirements of division (B) of this section have been met;	83 84
(b) Delegate to any person the pharmacist's authority to engage in or supervise the administration of immunizations.	85 86
(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.	87 88 89
(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:	90 91 92 93
(a) Provisions for approval of courses in administration of immunizations;	94 95
(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;	96 97 98 99 100
(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;	101 102 103 104 105
(d) A list of immunizations that may be administered under division (A)(1)(c) of this section.	106 107
(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	108 109 110 111

nursing. 112

(3) Prior to adopting a rule listing immunizations that may 113
be administered under division (A)(1)(c) of this section, the 114
state board of pharmacy shall consult with the state medical 115
board. 116

Section 2. That existing section 4729.41 of the Revised Code 117
is hereby repealed. 118