
A BILL FOR AN ACT

RELATING TO VACCINATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 461-1, Hawaii Revised Statutes, is
2 amended by amending the definition of "practice of pharmacy" to
3 read as follows:
4 "Practice of pharmacy" means:
5 (1) The interpretation and evaluation of prescription
6 orders; the compounding, dispensing, and labeling of
7 drugs and devices (except labeling by a manufacturer,
8 packer, or distributor of nonprescription drugs and
9 commercially legend drugs and devices); the
10 participation in drug selection and drug utilization
11 reviews; the proper and safe storage of drugs and
12 devices and the maintenance of proper records
13 [~~therefore;~~] therefor; the responsibility for advising
14 when necessary or where regulated, of therapeutic
15 values, content, hazards, and use of drugs and
16 devices;



- 1 (2) Performing the following procedures or functions as
2 part of the care provided by and in concurrence with a
3 "health care facility" and "health care service" as
4 defined in section 323D-2, or a "pharmacy" or a
5 licensed physician, advanced practice registered
6 nurse, or a "managed care plan" as defined in section
7 432E-1, in accordance with policies, procedures, or
8 protocols developed collaboratively by health
9 professionals, including physicians and surgeons,
10 advanced practice registered nurses, pharmacists, and
11 registered nurses, and for which a pharmacist has
12 received appropriate training required by these
13 policies, procedures, or protocols:
- 14 (A) Ordering or performing routine drug therapy
15 related patient assessment procedures;
- 16 (B) Ordering drug therapy related laboratory tests;
- 17 (C) Initiating emergency contraception oral drug
18 therapy in accordance with a written
19 collaborative agreement approved by the board,
20 between a licensed physician or advanced practice
21 registered nurse, and a pharmacist who has



1 received appropriate training that includes
2 programs approved by the American Council of
3 Pharmaceutical Education (ACPE), curriculum-based
4 programs from an ACPE-accredited college of
5 pharmacy, state or local health department
6 programs, or programs recognized by the board of
7 pharmacy;

8 (D) Administering drugs orally, topically, by
9 intranasal delivery, or by injection, pursuant to
10 the patient's licensed physician's or advanced
11 practice registered nurse's order, by a
12 pharmacist having appropriate training that
13 includes programs approved by the ACPE,
14 curriculum-based programs from an ACPE-accredited
15 college of pharmacy, state or local health
16 department programs, or programs recognized by
17 the board of pharmacy;

18 (E) Administering:

19 (i) Immunizations orally, by injection, or by
20 intranasal delivery, to persons eighteen
21 years of age or older by a pharmacist having



1 appropriate training that includes programs
2 approved by the ACPE, curriculum-based
3 programs from an ACPE-accredited college of
4 pharmacy, state or local health department
5 programs, or programs recognized by the
6 board of pharmacy; and

7 (ii) [~~The influenza vaccine~~] Vaccines to persons
8 between fourteen and seventeen years of age
9 pursuant to section 461-11.4;

10 (F) As authorized by a licensed physician's or
11 advanced practice registered nurse's written
12 instructions, initiating or adjusting the drug
13 regimen of a patient pursuant to an order or
14 authorization made by the patient's licensed
15 physician or advanced practice registered nurse
16 and related to the condition for which the
17 patient has been seen by the licensed physician;
18 provided that the pharmacist shall issue written
19 notification to the patient's licensed physician
20 or advanced practice registered nurse, or enter
21 the appropriate information in an electronic



1 patient record system shared by the licensed
2 physician[7] or advanced practice registered
3 nurse, within twenty-four hours;

4 (G) Transmitting a valid prescription to another
5 pharmacist for the purpose of filling or
6 dispensing; or

7 (H) Providing consultation, information, or education
8 to patients and health care professionals based
9 on the pharmacist's training and for which no
10 other licensure is required; and

11 (3) The offering or performing of those acts, services,
12 operations, or transactions necessary in the conduct,
13 operation, management, and control of pharmacy."

14 SECTION 2. Section 461-8, Hawaii Revised Statutes, is
15 amended by amending subsection (e) to read as follows:

16 "(e) A pharmacist who administers [~~the influenza~~] any
17 vaccine to persons between the ages of fourteen and seventeen
18 years pursuant to section 461-11.4 shall complete a training
19 program approved by the board within every other biennial
20 renewal period and submit proof of successful completion of the
21 training program to the board; provided that the pharmacist



1 shall meet these requirements prior to administering [~~the~~
2 ~~influenza~~] any vaccine to persons between the ages of fourteen
3 and seventeen years."

4 SECTION 3. Section 461-11.4, Hawaii Revised Statutes, is
5 amended as follows:

6 1. By amending the title and subsections (a) and (b) to
7 read:

8 " [~~§~~461-11.4 [~~§~~] [~~Influenza vaccinations;~~] Vaccinations;
9 children. (a) A pharmacist may administer [~~the influenza~~] a
10 vaccine to persons between fourteen and seventeen years of age
11 pursuant to a valid prescription [~~— The pharmacist shall verify~~
12 ~~that the prescriber or the prescriber's authorized agent is the~~
13 ~~patient's medical home.~~] issued by the person's primary care
14 physician or collaborating physician, or advanced practice
15 registered nurse.

16 (b) After the vaccination is administered, the pharmacist
17 shall immediately provide to the patient a vaccination record
18 including [~~but not limited to~~] the following information:

- 19 (1) The patient's name and date of birth;
20 (2) The type of vaccine administered; and



1 (3) The date and location [~~on which~~] that the vaccine was
2 administered."

3 2. By amending subsection (d) to read:

4 "(d) All pharmacists who administer [~~the influenza~~
5 ~~vaccine~~] vaccines to persons between the ages of fourteen and
6 seventeen years shall complete a training program approved by
7 the Accreditation Council of Pharmacy Education for which a
8 certificate of completion is issued. The pharmacist shall
9 complete the training program and submit the completion
10 certificate for the training program to the board prior to
11 administering [~~the influenza~~] any vaccine to persons between the
12 ages of fourteen and seventeen years."

13 SECTION 4. Section 461-21, Hawaii Revised Statutes, is
14 amended by amending subsection (a) to read as follows:

15 "(a) In addition to any other actions authorized by law,
16 the board [~~shall have the power to~~] may deny, revoke, or suspend
17 any license or permit applied for or issued by the board, in
18 accordance with this chapter, and [~~to~~] fine or otherwise
19 discipline a licensee or permit holder for any cause authorized
20 by law, including but not limited to the following:



- 1 (1) Procuring a license through fraud, misrepresentation,
2 or deceit;
- 3 (2) Professional misconduct, gross carelessness, or
4 manifest incapacity;
- 5 (3) Permitting an unlicensed person to perform activities
6 that require a license under this chapter;
- 7 (4) Violation of any of the provisions of this chapter or
8 the rules adopted pursuant thereto;
- 9 (5) Violation of any state or federal drug, controlled
10 substance, or poison law;
- 11 (6) False, fraudulent, or deceptive advertising;
- 12 (7) Any other conduct constituting fraudulent or dishonest
13 dealings;
- 14 (8) Failure to comply with a board order;
- 15 (9) Making a false statement on any document submitted or
16 required to be filed by this chapter, including a
17 false certification of compliance with the continuing
18 education requirement;
- 19 (10) Habitual intemperance or addiction to the use of
20 habit-forming drugs; or



1 (11) Administering [~~the influenza~~] a vaccine to a person
2 between fourteen and seventeen years of age without
3 complying with section 461-11.4."

4 SECTION 5. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun before its effective date.

7 SECTION 6. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 7. This Act shall take effect on July 1, 2050.



Report Title:

Pharmacists; Vaccine; Advanced Practice Registered Nurse
Authority

Description:

Authorizes pharmacists to administer vaccines to persons between 14 and 17 years of age who have a prescription from a collaborating physician or advanced practice registered nurse. Expands authority of advanced practice registered nurses to do certain health care procedures and services. (HB253 HD1)

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