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# 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, or a "managed care plan" as  
6           defined in section 432E-1, in accordance with  
7           policies, procedures, or protocols developed  
8           collaboratively by health professionals, including  
9           physicians and surgeons, pharmacists, and registered  
10          nurses, and for which a pharmacist has received  
11          appropriate training required by these policies,  
12          procedures, or protocols:
- 13           (A) Ordering or performing routine drug therapy  
14           related patient assessment procedures;
- 15           (B) Ordering drug therapy related laboratory tests;
- 16           (C) Initiating emergency contraception oral drug  
17           therapy in accordance with a written  
18           collaborative agreement approved by the board,  
19           between a licensed physician and a pharmacist who  
20           has received appropriate training that includes  
21           programs approved by the American Council of



1                   Pharmaceutical Education (ACPE), curriculum-based  
2                   programs from an ACPE-accredited college of  
3                   pharmacy, state or local health department  
4                   programs, or programs recognized by the board of  
5                   pharmacy;

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

15                  (E) Administering:  
16                   (i) Immunizations orally, by injection, or by  
17                   intranasal delivery, to persons eighteen  
18                   years of age or older by a pharmacist having  
19                   appropriate training that includes programs  
20                   approved by the ACPE, curriculum-based  
21                   programs from an ACPE-accredited college of



1 pharmacy, state or local health department  
2 programs, or programs recognized by the  
3 board of pharmacy; and

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

7 (F) As authorized by a licensed physician's written  
8 instructions, initiating or adjusting the drug  
9 regimen of a patient pursuant to an order or  
10 authorization made by the patient's licensed  
11 physician and related to the condition for which  
12 the patient has been seen by the licensed  
13 physician; provided that the pharmacist shall  
14 issue written notification to the patient's  
15 licensed physician or enter the appropriate  
16 information in an electronic patient record  
17 system shared by the licensed physician, within  
18 twenty-four hours;

19 (G) Transmitting a valid prescription to another  
20 pharmacist for the purpose of filling or  
21 dispensing; or



1 (H) Providing consultation, information, or education  
2 to patients and health care professionals based  
3 on the pharmacist's training and for which no  
4 other licensure is required; and

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

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

10 "(e) A pharmacist who administers [~~the influenza~~] any  
11 vaccine to persons between the ages of fourteen and seventeen  
12 years pursuant to section 461-11.4 shall complete a training  
13 program approved by the board within every other biennial  
14 renewal period and submit proof of successful completion of the  
15 training program to the board; provided that the pharmacist  
16 shall meet these requirements prior to administering [~~the~~  
17 ~~influenza~~] any vaccine to persons between the ages of fourteen  
18 and seventeen years."

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



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

3           " ~~[f] §461-11.4 [f] — Inﬂuenza vaccinations,~~ Vaccinations;  
4 children. (a) A pharmacist may administer ~~[the inﬂuenza]~~ a  
5 vaccine to persons between fourteen and seventeen years of age  
6 pursuant to a valid prescription. The pharmacist shall verify  
7 that the prescriber or the prescriber's authorized agent is the  
8 patient's medical home.

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

- 12           (1) The patient's name and date of birth;  
13           (2) The type of vaccine administered; and  
14           (3) The date and location ~~[on which]~~ that the vaccine was  
15 administered."

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

17           "(d) All pharmacists who administer ~~[the inﬂuenza~~  
18 ~~vaccine]~~ vaccines to persons between the ages of fourteen and  
19 seventeen years shall complete a training program approved by  
20 the Accreditation Council of Pharmacy Education for which a  
21 certificate of completion is issued. The pharmacist shall



1 complete the training program and submit the completion  
2 certificate for the training program to the board prior to  
3 administering [~~the influenza~~] any vaccine to persons between the  
4 ages of fourteen and seventeen years."

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

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

- 13 (1) Procuring a license through fraud, misrepresentation,  
14 or deceit;
- 15 (2) Professional misconduct, gross carelessness, or  
16 manifest incapacity;
- 17 (3) Permitting an unlicensed person to perform activities  
18 that require a license under this chapter;
- 19 (4) Violation of any of the provisions of this chapter or  
20 the rules adopted pursuant thereto;



- 1 (5) Violation of any state or federal drug, controlled
- 2 substance, or poison law;
- 3 (6) False, fraudulent, or deceptive advertising;
- 4 (7) Any other conduct constituting fraudulent or dishonest
- 5 dealings;
- 6 (8) Failure to comply with a board order;
- 7 (9) Making a false statement on any document submitted or
- 8 required to be filed by this chapter, including a
- 9 false certification of compliance with the continuing
- 10 education requirement;
- 11 (10) Habitual intemperance or addiction to the use of
- 12 habit-forming drugs; or
- 13 (11) Administering [~~the influenza~~] a vaccine to a person
- 14 between fourteen and seventeen years of age without
- 15 complying with section 461-11.4."

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

19 SECTION 6. Statutory material to be repealed is bracketed  
 20 and stricken. New statutory material is underscored.

21 SECTION 7. This Act shall take effect on July 1, 2112.





**Report Title:**

Pharmacists; Vaccine

**Description:**

Authorizes pharmacists to administer vaccines to persons between 14 and 17 years of age who have a valid prescription from the patient's medical home. (HB253 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

