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## A BILL FOR AN ACT

RELATING TO HEALTH.

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

1           SECTION 1. The legislature finds that human papillomavirus  
2 is a very common virus that can cause cervical, vaginal, and  
3 vulvar cancers in women; penile cancer in men; and anal cancer,  
4 cancer of the throat, and genital warts in both men and women.  
5 The legislature also finds that the human papillomavirus vaccine  
6 is available and protects against infection and the cancers  
7 caused by human papillomavirus.

8           The legislature also finds that under current law  
9 pharmacists are permitted to administer vaccines to children  
10 between the ages of fourteen and seventeen, whereas the Centers  
11 for Disease Control recommends that preteen boys and girls  
12 receive the human papillomavirus vaccine at age eleven or twelve  
13 so they are protected prior to any exposure to the virus.

14           The purpose of this Act is to improve the overall health of  
15 the population in the State and reduce the incidence of  
16 infectious disease and cervical and other cancers by allowing



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1 pharmacists to administer the human papillomavirus vaccine to  
2 children between the ages of eleven and seventeen.

3 SECTION 2. Section 461-1, Hawaii Revised Statutes, is  
4 amended by amending the definition of "practice of pharmacy" to  
5 read as follows:

6 "Practice of pharmacy" means:

- 7 (1) The interpretation and evaluation of prescription  
8 orders; the compounding, dispensing, and labeling of  
9 drugs and devices (except labeling by a manufacturer,  
10 packer, or distributor of nonprescription drugs and  
11 commercially legend drugs and devices); the  
12 participation in drug selection and drug utilization  
13 reviews; the proper and safe storage of drugs and  
14 devices and the maintenance of proper records  
15 therefor; the responsibility for advising when  
16 necessary or where regulated, of therapeutic values,  
17 content, hazards, and use of drugs and devices;
- 18 (2) Performing the following procedures or functions as  
19 part of the care provided by and in concurrence with a  
20 "health care facility" and "health care service" as  
21 defined in section 323D-2, or a "pharmacy" or a



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1 licensed physician or a licensed advanced practice  
2 registered nurse with prescriptive authority, or a  
3 "managed care plan" as defined in section 432E-1, in  
4 accordance with policies, procedures, or protocols  
5 developed collaboratively by health professionals,  
6 including physicians and surgeons, pharmacists, and  
7 registered nurses, and for which a pharmacist has  
8 received appropriate training required by these  
9 policies, procedures, or protocols:

- 10 (A) Ordering or performing routine drug therapy  
11 related patient assessment procedures;
- 12 (B) Ordering drug therapy related laboratory tests;
- 13 (C) Initiating emergency contraception oral drug  
14 therapy in accordance with a written  
15 collaborative agreement approved by the board,  
16 between a licensed physician or advanced practice  
17 registered nurse with prescriptive authority and  
18 a pharmacist who has received appropriate  
19 training that includes programs approved by the  
20 American Council of Pharmaceutical Education  
21 (ACPE), curriculum-based programs from an ACPE-



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1           accredited college of pharmacy, state or local  
2           health department programs, or programs  
3           recognized by the board of pharmacy;  
4       (D) Administering drugs orally, topically, by  
5           intranasal delivery, or by injection, pursuant to  
6           the order of the patient's licensed physician or  
7           advanced practice registered nurse with  
8           prescriptive authority, by a pharmacist having  
9           appropriate training that includes programs  
10          approved by the ACPE, curriculum-based programs  
11          from an ACPE-accredited college of pharmacy,  
12          state or local health department programs, or  
13          programs recognized by the board of pharmacy;  
14       (E) Administering:  
15           (i) Immunizations orally, by injection, or by  
16           intranasal delivery, to persons eighteen  
17           years of age or older by a pharmacist having  
18           appropriate training that includes programs  
19           approved by the ACPE, curriculum-based  
20           programs from an ACPE-accredited college of  
21           pharmacy, state or local health department



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1 programs, or programs recognized by the  
2 board of pharmacy; [~~and~~]  
3 (ii) Vaccines to persons between fourteen and  
4 seventeen years of age pursuant to section  
5 461-11.4; and  
6 (iii) Human papillomavirus vaccines to persons  
7 between eleven and seventeen years of age  
8 pursuant to section 461-11.4;  
9 (F) As authorized by the written instructions of a  
10 licensed physician or advanced practice  
11 registered nurse with prescriptive authority,  
12 initiating or adjusting the drug regimen of a  
13 patient pursuant to an order or authorization  
14 made by the patient's licensed physician or  
15 advanced practice registered nurse with  
16 prescriptive authority and related to the  
17 condition for which the patient has been seen by  
18 the licensed physician or advanced practice  
19 registered nurse with prescriptive authority;  
20 provided that the pharmacist shall issue written  
21 notification to the patient's licensed physician



1 or advanced practice registered nurse with  
2 prescriptive authority or enter the appropriate  
3 information in an electronic patient record  
4 system shared by the licensed physician or  
5 advanced practice registered nurse with  
6 prescriptive authority, within twenty-four hours;  
7 (G) Transmitting a valid prescription to another  
8 pharmacist for the purpose of filling or  
9 dispensing;  
10 (H) Providing consultation, information, or education  
11 to patients and health care professionals based  
12 on the pharmacist's training and for which no  
13 other licensure is required; or  
14 (I) Dispensing an opioid antagonist in accordance  
15 with a written collaborative agreement approved  
16 by the board, between a licensed physician and a  
17 pharmacist who has received appropriate training  
18 that includes programs approved by the American  
19 Council on Pharmaceutical Education (ACPE),  
20 curriculum-based programs from an ACPE-accredited  
21 college of pharmacy, state or local health



1 department programs, or programs recognized by  
2 the board; and

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

6 SECTION 3. Section 461-8, Hawaii Revised Statutes, is  
7 amended by amending subsection (e) to read as follows:

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

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

21 1. By amending subsection (a) to read:



- 1        "(a) A pharmacist may administer [a]:
- 2        (1) A vaccine to persons between fourteen and seventeen
- 3                years of age pursuant to a valid prescription[-]; and
- 4        (2) A human papillomavirus vaccine to persons between
- 5                eleven and seventeen years of age pursuant to a valid
- 6                prescription.

7        The pharmacist shall verify that the prescriber or the

8        prescriber's authorized agent is the patient's medical home."

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

10        "(d) All pharmacists who administer vaccines to persons

11        between the ages of fourteen and seventeen years or administer

12        human papillomavirus vaccines to persons between the ages of

13        eleven and seventeen years shall complete a training program

14        approved by the Accreditation Council of Pharmacy Education for

15        which a certificate of completion is issued. The pharmacist

16        shall complete the training program and submit the completion

17        certificate for the training program to the board prior to

18        administering any vaccine to persons between the ages of

19        fourteen and seventeen years[-] and prior to administering any

20        human papillomavirus vaccine to persons between the ages of

21        eleven and seventeen years."





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

3 "(a) In addition to any other actions authorized by law,  
4 the board may deny, revoke, or suspend any license or permit  
5 applied for or issued by the board, in accordance with this  
6 chapter, and fine or otherwise discipline a licensee or permit  
7 holder for any cause authorized by law, including but not  
8 limited to the following:

- 9 (1) Procuring a license through fraud, misrepresentation,  
10 or deceit;
- 11 (2) Professional misconduct, gross carelessness, or  
12 manifest incapacity;
- 13 (3) Permitting an unlicensed person to perform activities  
14 that require a license under this chapter;
- 15 (4) Violation of any of the provisions of this chapter or  
16 the rules adopted pursuant thereto;
- 17 (5) Violation of any state or federal drug, controlled  
18 substance, or poison law;
- 19 (6) False, fraudulent, or deceptive advertising;
- 20 (7) Any other conduct constituting fraudulent or dishonest  
21 dealings;



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- 1 (8) Failure to comply with a board order;
- 2 (9) Making a false statement on any document submitted or
- 3 required to be filed by this chapter, including a
- 4 false certification of compliance with the continuing
- 5 education requirement;
- 6 (10) Habitual intemperance or addiction to the use of
- 7 habit-forming drugs; or
- 8 (11) Administering a vaccine to a person [~~between fourteen~~
- 9 ~~and seventeen years of age~~] or a human papillomavirus
- 10 vaccine without complying with section 461-11.4."

11 SECTION 6. Statutory material to be repealed is bracketed  
 12 and stricken. New statutory material is underscored.

13 SECTION 7. This Act shall take effect upon its approval.

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**Report Title:**

Health; Education; Human Papillomavirus Vaccine; Pharmacists

**Description:**

Authorizes pharmacists to prescribe and administer the human papillomavirus vaccine to persons between eleven and seventeen years of age. Specifies requirements pharmacists must meet prior to administering the human papillomavirus vaccine.

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

