

House Engrossed Senate Bill

~~full-time equivalent student; expenditure limitation~~
(now: immunizations; pharmacists)

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SENATE BILL 1374

AN ACT

AMENDING SECTION 32-1974, ARIZONA REVISED STATUTES; RELATING TO
PHARMACISTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-1974, Arizona Revised Statutes, is amended to
3 read:

4 32-1974. Pharmacists; administration of immunizations,
5 vaccines and emergency medications; certification;
6 reporting requirements; advisory committee;
7 definition

8 A. Except as prescribed pursuant to subsection ~~f~~ H of this
9 section, a pharmacist who is licensed pursuant to this chapter and who
10 meets the requirements of this section may **ORDER AND** administer **ALL OF** the
11 following ~~to adults without a prescription order pursuant to rules and~~
12 ~~protocols adopted by the board pursuant to this section:~~

13 1. Immunizations or vaccines recommended ~~for adults~~ by the United
14 States centers for disease control and ~~prevention~~ **PREVENTION'S ADVISORY**
15 **COMMITTEE ON IMMUNIZATION PRACTICES TO A PERSON WHO IS AT LEAST SIX YEARS**
16 **OF AGE.**

17 2. Immunizations or vaccines recommended by the United States
18 centers for disease control and prevention's ~~health information~~ **ADVISORY**
19 **COMMITTEE ON IMMUNIZATION PRACTICES** for international travel **TO A PERSON**
20 **WHO IS AT LEAST EIGHTEEN YEARS OF AGE.**

21 ~~B. A pharmacist who is licensed pursuant to this chapter and who~~
22 ~~meets the requirements of this section may administer the following to~~
23 ~~minors without a prescription order pursuant to rules and protocols~~
24 ~~adopted by the board pursuant to this section:~~

25 ~~1.~~ 3. ~~influenza~~ Immunizations or vaccines **FOR INFLUENZA**
26 **RECOMMENDED BY THE UNITED STATES CENTERS FOR DISEASE CONTROL AND**
27 **PREVENTION'S ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES** to a person who
28 is at least three years of age.

29 ~~2. Booster doses for the primary adolescent series as recommended~~
30 ~~by the United States centers for disease control and prevention.~~

31 ~~3. Immunizations or vaccines recommended by the United States~~
32 ~~centers for disease control and prevention to a person who is at least~~
33 ~~thirteen years of age.~~

34 ~~C. Except as prescribed in subsection B of this section, a~~
35 ~~pharmacist who is licensed pursuant to this chapter and who meets the~~
36 ~~requirements of this section may administer immunizations and vaccines,~~
37 ~~including the first dose for the primary adolescent series, to a person~~
38 ~~who is at least six years of age but under thirteen years of age only with~~
39 ~~a prescription order and pursuant to rules and protocols adopted by the~~
40 ~~board pursuant to this section.~~

41 **B. EXCEPT AS PRESCRIBED IN SUBSECTION A OF THIS SECTION, A**
42 **PHARMACIST WHO IS LICENSED PURSUANT TO THIS CHAPTER AND WHO MEETS THE**
43 **REQUIREMENTS OF THIS SECTION MAY ADMINISTER IMMUNIZATIONS AND VACCINES TO**
44 **A PERSON WHO IS AT LEAST THREE YEARS OF AGE ONLY PURSUANT TO A**
45 **PRESCRIPTION ORDER OR UNDER A COLLABORATIVE PRACTICE AGREEMENT.**

1 ~~D.~~ C. A pharmacist who wishes to ORDER AND administer
2 immunizations and vaccines pursuant to this section must ~~be certified to~~
3 ~~do so by~~ UPDATE THE PHARMACIST'S ONLINE PROFILE WITH the board. ~~The board~~
4 ~~shall issue a certificate to a pharmacist~~ INDICATING THAT THE PHARMACIST
5 IS AN ACTIVE IMMUNIZER who meets board requirements ~~for certification~~ as
6 prescribed by the board by rule.

7 ~~E.~~ D. A pharmacist who is ~~certified~~ AUTHORIZED to ORDER AND
8 administer immunizations and vaccines pursuant to this section may ORDER
9 AND administer ~~without a prescription order~~:

10 1. Emergency medication to manage an acute allergic reaction to an
11 immunization, vaccine or medication in accordance with GUIDELINES FROM the
12 United States centers for disease control and ~~prevention immunization~~
13 ~~guidelines~~ PREVENTION'S ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES FOR
14 ADULTS AND THE AMERICAN ACADEMY OF PEDIATRICS FOR MINORS.

15 2. Immunizations or vaccines to any person regardless of age during
16 a public health emergency response of this state pursuant to section
17 36-787.

18 ~~F.~~ E. A pharmacist who administers an immunization, vaccine or
19 emergency medication pursuant to this section must:

20 1. ~~Report the administration to~~ NOTIFY the person's identified
21 primary care provider or physician within forty-eight hours after
22 administering the immunization, vaccine or emergency medication and as
23 prescribed by the board by rule. The pharmacist shall make a reasonable
24 effort to identify the person's primary care provider or physician by one
25 or more of the following methods:

26 (a) Checking ~~any adult~~ THE ARIZONA STATE immunization information
27 system ~~or vaccine registry~~ established by the department of health
28 services.

29 (b) Checking pharmacy records.

30 (c) Requesting the information from the person or, in the case of a
31 minor, the person's parent or guardian.

32 2. Report information to ~~any adult~~ THE ARIZONA STATE immunization
33 information system ~~or vaccine registry~~ established by the department of
34 health services.

35 3. Maintain a record of the immunization pursuant to title 12,
36 chapter 13, article 7.1 and as prescribed by the board by rule.

37 4. ~~Report to~~ NOTIFY the person's identified primary care provider
38 or physician, within twenty-four hours ~~of~~ AFTER occurrence, any adverse
39 reaction that is reported to or witnessed by the pharmacist and that is
40 listed by the vaccine manufacturer as a contraindication to further doses
41 of the vaccine.

42 5. ~~Participate in any federal~~ NOTIFY THE vaccine adverse event
43 reporting system ~~or successor database~~ IN ACCORDANCE WITH THE UNITED
44 STATES CENTERS FOR DISEASE CONTROL AND PREVENTION'S ADVISORY COMMITTEE
45 RECOMMENDATIONS.

1 6. PROVIDE VACCINE INFORMATION MATERIALS TO THOSE REQUESTING
2 IMMUNIZATIONS OR VACCINES AND, FOR PERSONS UNDER EIGHTEEN YEARS OF AGE,
3 PROVIDE EDUCATIONAL MATERIALS TO THE PERSON'S PARENT OR GUARDIAN ABOUT THE
4 IMPORTANCE OF PEDIATRIC PREVENTIVE HEALTH CARE VISITS AS RECOMMENDED BY
5 THE AMERICAN ACADEMY OF PEDIATRICS.

6 7. FOLLOW THE STANDARD OPERATING PROCEDURES ADOPTED BY THE PHARMACY
7 OR OTHER INSTITUTION WHERE THE IMMUNIZATION, VACCINE OR EMERGENCY
8 MEDICATION IS ADMINISTERED THAT ARE BASED ON THE VACCINE ADMINISTRATION
9 PROTOCOLS AND IMMUNIZATION PRACTICES PUBLISHED IN THE UNITED STATES
10 CENTERS FOR DISEASE CONTROL AND PREVENTION'S MORBIDITY AND MORTALITY
11 WEEKLY REPORT. THE STANDARD OPERATING PROCEDURES SHALL INCLUDE ALL OF THE
12 FOLLOWING:

13 (a) PATIENT SCREENING REQUIREMENTS FOR RELEVANT HEALTH CONDITION
14 INFORMATION BEFORE ADMINISTERING A VACCINE.

15 (b) A REQUIREMENT TO REVIEW THE VACCINE INFORMATION, THE ARIZONA
16 STATE IMMUNIZATION INFORMATION SYSTEM AND ANY OTHER PATIENT INFORMATION ON
17 RECORD TO DETERMINE THE PERSON'S PAST IMMUNIZATIONS AND ADVERSE REACTIONS
18 BEFORE ADMINISTERING A VACCINE.

19 (c) EMERGENCY MANAGEMENT POLICIES AND PROCEDURES.

20 ~~F.~~ F. This section does not establish a cause of action against a
21 patient's primary care provider or physician for any adverse reaction,
22 complication or negative outcome arising from the administration of any
23 immunization, vaccine or emergency medication by a pharmacist to the
24 patient pursuant to this section if it is administered without a
25 prescription order written by the patient's primary care provider or
26 physician.

27 ~~H.~~ G. The board shall adopt rules for ~~the administration of~~
28 ORDERING AND ADMINISTERING vaccines, ~~or~~ immunizations AND EMERGENCY
29 MEDICATIONS pursuant to this section regarding:

30 ~~1. Protocols that are based on protocols approved by the United~~
31 ~~States centers for disease control and prevention and any advisory~~
32 ~~committee appointed by the board for the purpose of recommending~~
33 ~~protocols.~~

34 ~~2.~~ 1. Recordkeeping and reporting requirements.

35 ~~3.~~ 2. Requirements and qualifications for pharmacist ~~certification~~
36 AUTHORIZATION pursuant to this section.

37 ~~4. Vaccine information and educational materials for those~~
38 ~~requesting vaccines and immunizations.~~

39 ~~5. The administration of emergency medication pursuant to this~~
40 ~~section.~~

41 ~~I.~~ H. The department of health services, by rule, shall establish
42 and maintain a list of immunizations or vaccines that may be administered
43 ~~to adults~~ by a pharmacist only pursuant to a prescription order. In
44 adopting and maintaining this list, the department is exempt from the
45 rulemaking requirements of title 41, chapter 6. ~~The department shall~~

1 ~~adopt its initial rules within six months after receipt of the~~
2 ~~recommendations of the advisory committee appointed by the board and shall~~
3 ~~hold one public hearing before implementing the rules and any amendments~~
4 ~~to the rules.~~ The list shall include those immunizations or vaccines
5 ~~listed in the United States centers for disease control and prevention's~~
6 ~~recommended adult immunization schedule or~~ recommended by the United
7 States centers for disease control and prevention's health information for
8 international travel that have adverse reactions that could cause
9 significant harm to a patient's health. A pharmacist may not administer
10 immunizations or vaccines without a prescription order pursuant to this
11 section before the department has established the list pursuant to this
12 subsection. The board may not authorize a pharmacist to administer new
13 immunizations or vaccines without a prescription order pursuant to this
14 section until the department reviews the new immunizations and vaccines to
15 determine if they should be added to the list established pursuant to this
16 subsection.

17 ~~J.~~ I. The board may appoint an advisory committee to assist the
18 board in adopting and amending rules and developing protocols relating to
19 ~~the administration of~~ ORDERING AND ADMINISTERING immunizations, vaccines
20 and emergency medications and ~~certification~~ TRAINING requirements.

21 ~~K.~~ J. A pharmacy intern who is ~~certified by the board~~ TRAINED to
22 administer immunizations and vaccines pursuant to this section may do so
23 only in the presence and under the ~~immediate personal~~ supervision of a
24 pharmacist who is ~~certified~~ AUTHORIZED as prescribed in this section.

25 ~~L.~~ K. This section does not prevent a pharmacist who administers
26 an immunization or vaccine from participating in the federal vaccines for
27 children program.

28 ~~M.~~ L. A pharmacist may not administer an immunization or vaccine
29 to a minor without the consent of the minor's parent or guardian.

30 ~~N.~~ M. For the purposes of this section, ~~—~~

31 ~~I.~~ "Emergency medication" means emergency epinephrine,
32 CORTICOSTEROIDS, ALBUTEROL, OXYGEN and antihistamines in accordance with
33 GUIDELINES FROM the United States centers for disease control and
34 ~~prevention immunization guidelines~~ PREVENTION'S ADVISORY COMMITTEE ON
35 IMMUNIZATION PRACTICES FOR ADULTS AND THE AMERICAN ACADEMY OF PEDIATRICS
36 FOR MINORS.

37 ~~2.~~ "Primary adolescent series" means ~~those immunizations or~~
38 ~~vaccines recommended by the United States centers for disease control and~~
39 ~~prevention for children starting at age eleven or twelve.~~