
A BILL FOR AN ACT

RELATING TO PHARMACISTS.

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

1 SECTION 1. The legislature finds that on May 8, 2020, the
2 Centers for Disease Control and Prevention reported that "the
3 identified declines in routine pediatric vaccine ordering and
4 doses administered might indicate that U.S. children and their
5 communities face increased risks for outbreaks of vaccine
6 preventable diseases" and suggested that a decrease in rates of
7 routine childhood vaccinations were due to changes in health
8 care access, social distancing, and other COVID-19 mitigation
9 strategies. The legislature also finds that during the 2018-
10 2019 flu season, nearly a third of all adult influenza vaccines
11 were provided at a community pharmacy. Pharmacies are vital to
12 the State's health care system because of their convenient
13 points of access in their communities. Additionally,
14 pharmacists are trusted health care professionals who have
15 established relationships with their patients and often offer
16 extended hours and added convenience. Pharmacists are well
17 positioned to increase access to vaccinations, particularly in



1 medically underserved areas or for certain populations who have
2 a limited number of pediatricians or primary care providers.

3 The legislature further finds that amendments made to the
4 federal Public Readiness and Emergency Preparedness Act, Pub. L.
5 109-148, (PREP Act) during the COVID-19 pandemic authorized
6 pharmacists and pharmacy interns to administer vaccines to
7 children between the ages of three and seventeen. This
8 authorization is currently slated to end on December 31, 2024.
9 Prior to the amendments made to the PREP Act, Hawaii law only
10 authorized pharmacists to administer a limited number of
11 vaccines to children between the ages of eleven and seventeen
12 and required a valid prescription before the vaccine could be
13 administered.

14 The legislature finds that permanently codifying in state
15 law the amendments to the PREP Act that authorize pharmacists to
16 vaccinate children between the ages of three and seventeen will
17 continue to allow and expand the role of trained and certified
18 pharmacists to administer vaccines to their communities in
19 Hawaii. Additionally, as the department of health has ceased
20 offering flu vaccinations for school-aged children at department
21 schools, permanently authorizing pharmacists to vaccinate



1 children between the ages of three and seventeen will ensure
2 these children continue to be protected against influenza and
3 other highly contagious diseases.

4 Accordingly, the purpose of this Act is to:

- 5 (1) Authorize licensed pharmacists, pharmacy interns, and
6 pharmacy technicians under the direct supervision of a
7 pharmacist to administer vaccines to persons between
8 the ages of three and seventeen, if certain
9 requirements are met; and
- 10 (2) Authorize licensed pharmacists to order the
11 administration of vaccines for persons between the
12 ages of three and seventeen.

13 SECTION 2. Section 461-11.4, Hawaii Revised Statutes, is
14 amended by amending subsections (a) through (d) to read as
15 follows:

16 "(a) A pharmacist, pharmacy intern, or pharmacy technician
17 under the direct supervision of a pharmacist may administer[+]

18 ~~(1) A vaccine to persons between fourteen and seventeen~~
19 ~~years of age pursuant to a valid prescription; and~~

20 ~~(2) A human papillomavirus, Tdap (tetanus, diphtheria,~~
21 ~~pertussis), meningococcal, or influenza vaccine to~~



H.B. NO. 2553

1 ~~persons between eleven and seventeen years of age~~
2 ~~pursuant to a valid prescription.~~

3 ~~The pharmacist] a vaccine to a person between three and~~
4 ~~seventeen years of age; provided that:~~

5 (1) The vaccine is authorized or approved by the United
6 States Food and Drug Administration;

7 (2) The vaccine has been ordered by a pharmacist and
8 administered in accordance with the recommendations of
9 the United States Centers for Disease Control and
10 Prevention's Advisory Committee on Immunization
11 Practices;

12 (3) The pharmacy intern or pharmacy technician has
13 completed a practical training program approved by the
14 Accreditation Council for Pharmacy Education that
15 includes hands-on injection technique, clinical
16 evaluation of indications and contraindications of
17 vaccines, and the recognition and treatment of
18 emergency responses to vaccines;

19 (4) The pharmacist, pharmacy intern, or pharmacy
20 technician has a current certificate in basic
21 cardiopulmonary resuscitation;



- 1 (5) The pharmacist has completed a minimum of two credit
2 hours in immunization-related continuing education
3 courses during each licensing biennium;
- 4 (6) The pharmacist is in compliance with all applicable
5 recordkeeping and reporting requirements, including
6 complying with adverse events reporting requirements;
- 7 (7) The pharmacist, pharmacy intern, or pharmacy
8 technician has reviewed the patient's vaccination
9 records prior to administering the vaccine;
- 10 (8) The pharmacist has informed the patient and the
11 patient's primary guardian or caregiver of the
12 importance of a well-child visit with a pediatrician
13 or other licensed primary care provider and has
14 referred the patient as appropriate; and
- 15 (9) Where a prescription has been ordered by a person
16 other than the pharmacist, pharmacy intern, or
17 pharmacy technician under the direct supervision of
18 the pharmacist, the pharmacist, pharmacy intern, or
19 pharmacy technician shall verify that the prescriber
20 or the prescriber's authorized agent is the patient's
21 medical home.



1 (b) After the vaccination is administered, the pharmacist,
2 pharmacy intern, or pharmacy technician under the direct
3 supervision of a pharmacist shall immediately provide to the
4 patient a vaccination record including the following
5 information:

- 6 (1) The patient's name and date of birth;
- 7 (2) The type of vaccine administered; and
- 8 (3) The date and location that the vaccine was
9 administered.

10 (c) The pharmacist, pharmacy intern, or pharmacy
11 technician under the direct supervision of a pharmacist shall
12 make a good faith effort to provide within seventy-two hours to
13 the medical home and within five business days to the department
14 of health immunization registry the same information provided to
15 the patient pursuant to subsection (b) as well as the following:

- 16 (1) The name of the vaccine product that was administered,
17 including the manufacturer, lot number, and expiration
18 date;
- 19 (2) The method of administration; and
- 20 (3) The anatomical site of administration.



1 (d) ~~[All]~~ In addition to the requirements of subsection
2 (a), all pharmacists, pharmacy interns, and pharmacy technicians
3 under the direct supervision of a pharmacist who administer
4 vaccines to persons between the ages of ~~[fourteen]~~ three and
5 seventeen years ~~[or administer human papillomavirus, Tdap~~
6 ~~(tetanus, diphtheria, pertussis), meningococcal, and influenza~~
7 ~~vaccines to persons between the ages of eleven and seventeen~~
8 ~~years]~~ shall complete a training program approved by the
9 Accreditation Council of Pharmacy Education for which a
10 certificate of completion is issued. The pharmacist, pharmacy
11 intern, or pharmacy technician shall complete the training
12 program and submit the completion certificate for the training
13 program to the board prior to administering any vaccine to
14 persons between the ages of ~~[fourteen]~~ three and seventeen years
15 ~~[and prior to administering any human papillomavirus, Tdap~~
16 ~~(tetanus, diphtheria, pertussis), meningococcal, or influenza~~
17 ~~vaccine to persons between the ages of eleven and seventeen~~
18 ~~years]."~~

19 SECTION 3. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

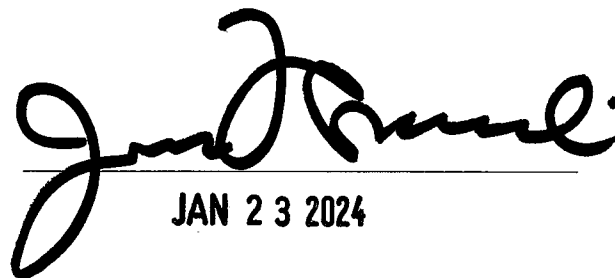
21 SECTION 4. This Act shall take effect upon its approval.



H.B. NO. 2553

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INTRODUCED BY:


JAN 23 2024



H.B. NO. 2553

Report Title:

Pharmacists; Pharmacy Interns; Pharmacy Technicians; Minors;
Vaccinations

Description:

Authorizes pharmacists, pharmacy interns, and pharmacy technicians under the direct supervision of a pharmacist to administer vaccinations to persons between the ages of three and seventeen, if certain requirements are met. Authorizes licensed pharmacists to order vaccines for administration to persons between the ages of three and seventeen.

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