

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**** BILL NO. ****

INTRODUCED BY ****

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PHARMACIST ADMINISTRATION OF IMMUNIZATION LAWS; ALLOWING ADMINISTRATION BY PHARMACY INTERNS AND TECHNICIANS UNDER CERTAIN CIRCUMSTANCES; AMENDING SECTION 37-7-105, MCA; PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 37-7-105, MCA, is amended to read:

"37-7-105. Administration of immunizations. (1) An immunization-certified pharmacist may:

(a) prescribe and administer the following immunizations without a collaborative practice agreement in place:

- (i) influenza to individuals who are 12 years of age or older;
- (ii) pneumococcal, tetanus, diphtheria, and pertussis to individuals who are 18 years of age or older;

and

(iii) herpes zoster to those individuals identified in the guidelines published by the United States centers for disease control and prevention's advisory committee on immunization practices; and

(b) administer immunizations to individuals 7 years of age or older as provided by the most recent guidelines by vaccine and age group published by the United States centers for disease control and prevention and as determined within a collaborative practice agreement.

(2) In the event of an adverse reaction, a pharmacist may administer epinephrine or diphenhydramine to:

- (a) an individual who is 12 years of age or older; and
- (b) a child who is 7 years of age or older and under 12 years of age within a collaborative practice agreement.

(3) If a pharmacist provides an immunization that is part of a series requiring multiple doses over time,

1 the pharmacist shall notify the individual or the individual's legal representative at the time the next
2 immunization in the series is due to be administered by sending a notice to the individual or representative that
3 the followup immunization is needed to fulfill the series requirement.

4 (4) A pharmacist who administers an immunization pursuant to this section shall:

5 (a) ensure that the individual who is being immunized is assessed for contraindications to
6 immunization;

7 (b) ensure that the individual who is being immunized or the individual's legal representative receives
8 a copy of the appropriate vaccine information statement;

9 (c) if the pharmacist is notified of an adverse reaction, report the reaction to:

10 (i) the patient's primary health care provider, if the patient identifies one;

11 (ii) the medical provider or providers with whom the pharmacist has a collaborative practice
12 agreement; and

13 (iii) the vaccine adverse event reporting system established under the United States department of
14 health and human services;

15 (d) provide a signed certificate of immunization to the primary health care provider, if known, of each
16 individual who is immunized and to the individual who is immunized that includes the individual's name, date of
17 immunization, address of immunization, administering pharmacist, immunization agent, manufacturer, and lot
18 number;

19 (e) create a record for each immunization, in which the individual's name, date, address of
20 immunization, administering pharmacist, immunization agent, manufacturer, and lot number are included, and
21 maintain the record for 7 years from the date the immunization was administered or until 7 years after the
22 individual reaches 18 years of age, whichever is later; and

23 (f) offer the patient the opportunity to have the immunization information reported to the state
24 immunization information system.

25 (6) (a) A pharmacist may not delegate to another person the administration of immunizations
26 authorized under this section except in the following circumstances, when the person meets the requirements
27 of subsection (6)(b):

28 (i) a licensed intern who is under the supervision of the pharmacist; or

1 (ii) a pharmacy technician who is under a technician utilization plan and the supervision of the
2 pharmacist.

3 (b) A licensed intern or pharmacy technician administering immunizations must hold a current
4 certification to provide basic cardiac life support and complete a practical training program that is:

5 (i) accredited by the accreditation council for pharmacy education or a similar health authority or
6 professional body approved by the board; and

7 (ii) at a minimum, includes instruction in hands-on injection technique and recognition and
8 treatment of emergency reactions to vaccines.

9 ~~(5)~~(6) For the purposes of this section, "vaccine information statement" means an information sheet
10 that is produced by the United States centers for disease control and prevention that explains the benefits and
11 risks associated with a vaccine to a vaccine recipient or the legal representative of the vaccine recipient."

12
13 NEW SECTION. Section 2. {standard} Effective date. [This act] is effective on passage and
14 approval.

15 - END -

