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1	SENATE BILL NO. 239			
2	INTRODUCED BY D. LENZ			
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4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PHARMACIST ADMINISTRATION OF IMMUNIZATION			
5	LAWS; ALLOWING ADMINISTRATION OF ADDITIONAL IMMUNIZATIONS; ALLOWING ADMINISTRATION			
6	BY PHARMACY INTERNS AND TECHNICIANS UNDER CERTAIN CIRCUMSTANCES; AMENDING			
7	SECTION 37-7-105, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."			
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:			
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11	Section 1. Section 37-7-105, MCA, is amended to read:			
12	"37-7-105. Administration of immunizations. (1) An immunization-certified pharmacist may-			
13	(a) prescribe and administer the following-immunizations to individuals 3 years of age and older			
14	without a collaborative practice agreement in place when the immunizations are:			
15	(i) influenza to individuals who are 12 years of age or older;			
16	(ii) pneumococcal, tetanus, diptheria, and pertussis to individuals who are 18 years of age or older;			
17	and			
18	(iii) herpes zoster to those individuals identified in the guidelines published by the United States			
19	centers for disease control and prevention's advisory committee on immunization practices; and			
20	(b) administer immunizations to individuals 7 years of age or older as provided by the most recent			
21	guidelines by vaccine and age group published by the United States centers for disease control and prevention			
22	and as determined within a collaborative practice agreement.			
23	(a) authorized or approved by the U.S. food and drug administration or listed in the routine			
24	immunization schedule recommended by the federal advisory committee on immunization practices published			
25	by the centers for disease control and prevention; and			
26	(b) administered in accordance with vaccine-specific recommendations of the federal advisory			
27	committee on immunization practices.			
28	(2)—In the event of an adverse reaction, a pharmacist may administer epinephrine or			



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1	diphenhydramine to:				
2	(a) an individual who is 12 3 years of age or older; and				
3	(b) a child who is 7 years of age or older and under 12 years of age within a collaborative practice				
4	agreement.				
5	<u>(3)</u>	A pharmacist providing immunizations shall disclose a patient's immunization information to the			
6	department of public health and human services for inclusion in the state immunization information system				
7	unless the patient or the patient's parent or guardian, if the patient is under 18 years of age, has opted out of				
8	disclosure.				
9	(3) (4)	If a pharmacist provides an immunization that is part of a series requiring multiple doses over			
10	time, the pharmacist shall notify the individual or the individual's legal representative at the time the next				
11	immunization in the series is due to be administered by sending a notice to the individual or representative that				
12	the followup immunization is needed to fulfill the series requirement.				
13	(4) (5)	A pharmacist who administers an immunization pursuant to this section shall:			
14	(a)	ensure that the individual who is being immunized is assessed for contraindications to			
15	immunization;				
16	(b)	ensure that the individual who is being immunized or the individual's legal representative			
17	receives a copy of the appropriate vaccine information statement;				
18	(c)	if the pharmacist is notified of an adverse reaction, report the reaction to:			
19	(i)	the patient's primary health care provider, if the patient identifies one; and			
20	(ii) the medical provider or providers with whom the pharmacist has a collaborative practice				
21	agreement; and				
22	(iii) (ii)	the vaccine adverse event reporting system established under the United States department of			
23	health and human services;				
24	(d)	provide a signed certificate notification of immunization to the primary health care provider, if			
25	known, of each individual who is immunized and, upon request, to the individual who is immunized that				
26	includes <u>:</u>				
27	<u>(i)</u>	the individual's name, date of immunization, and address of immunization,:			
28	<u>(ii)</u>	the administering pharmacist, licensed intern, or pharmacy technician; and			



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1	(iii) the immunization agent, manufacturer, and lot number; and				
2	(e) create a record for each immunization, in which the individual's name, date, address of				
3	immunization, the administering pharmacist, intern, or pharmacy technician, and the immunization agent,				
4	manufacturer, and lot number are included, and maintain the record for 7 years from the date the immunization	n			
5	was administered or until 7 years after the individual reaches 18 years of age, whichever is later; and				
6	(f) offer the patient the opportunity to have the immunization information reported to the state				
7	immunization information system.				
8	(6) (a) A pharmacist may not delegate to another person the administration of immunizations				
9	authorized under this section except in the following circumstances, when the person meets the requirements				
10	of subsection (6)(b):				
11	(i) a licensed intern who is under the supervision of the pharmacist; or				
12	(ii) a pharmacy technician who is under a technician utilization plan and the supervision of the				
13	pharmacist.				
14	(b) A licensed intern or pharmacy technician administering immunizations must hold a current				
15	certification to provide basic cardiac life support and complete a practical training program that is:				
16	(i) accredited by the accreditation council for pharmacy education or a similar health authority or	<u>r</u>			
17	professional body approved by the board; and				
18	(ii) at a minimum, includes instruction in hands-on injection technique and recognition and				
19	treatment of emergency reactions to vaccines.				
20	(5)(7) For the purposes of this section, "vaccine information statement" means an information sheet	t			
21	that is produced by the United States centers for disease control and prevention that explains the benefits and	d			
22	risks associated with a vaccine to a vaccine recipient or the legal representative of the vaccine recipient."				
23					
24	NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.				
25	- END -				

