

SENATE BILL NO. 239

INTRODUCED BY D. LENZ

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PHARMACIST ADMINISTRATION OF IMMUNIZATION LAWS; ALLOWING ADMINISTRATION OF ADDITIONAL IMMUNIZATIONS; ALLOWING ADMINISTRATION BY PHARMACY INTERNS AND TECHNICIANS UNDER CERTAIN CIRCUMSTANCES; AMENDING SECTION 37-7-105, MCA; AND 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 to individuals 3 years of age and older

without a collaborative practice agreement in place when the immunizations are:

(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.~~

(a) authorized or approved by the U.S. food and drug administration or listed in the routine immunization schedule recommended by the federal advisory committee on immunization practices published by the centers for disease control and prevention; and

(b) administered in accordance with vaccine-specific recommendations of the federal advisory committee on immunization practices.

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

1 diphenhydramine to:

2 ~~(a)~~—an individual who is ~~42~~ 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 (3) 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:

27 (i) the individual's name, date of immunization, and address of immunization;

28 (ii) the administering pharmacist, licensed intern, or pharmacy technician; and

