House Engrossed Senate Bill

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

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

CHAPTER 356

SENATE BILL 1374

AN ACT

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

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

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

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

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

1. Immunizations or vaccines recommended for adults by the United States centers for disease control and prevention's advisory committee on immunization practices to a person who is at least six years of age.

2. Immunizations or vaccines recommended by the United States centers for disease control and prevention's health information advisory committee on immunization practices for international travel to a person who is at least eighteen years of age.

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

1. Influenza immunizations or vaccines for influenza recommended by the United States centers for disease control and prevention's advisory committee on immunization practices to a person who is at least three years of age.

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

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

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

B. EXCEPT AS PRESCRIBED IN SUBSECTION A OF THIS SECTION, A PHARMACIST WHO IS LICENSED PURSUANT TO THIS CHAPTER AND WHO MEETS THE REQUIREMENTS OF THIS SECTION MAY ADMINISTER IMMUNIZATIONS AND VACCINES TO A PERSON WHO IS AT LEAST THREE YEARS OF AGE ONLY PURSUANT TO A PRESCRIPTION ORDER OR UNDER A COLLABORATIVE PRACTICE AGREEMENT.
D. A pharmacist who wishes to ORDER AND administer immunizations and vaccines pursuant to this section must be certified to do so by UPDATE THE PHARMACIST'S ONLINE PROFILE WITH the board. The board shall issue a certificate to a pharmacist INDICATING THAT THE PHARMACIST IS AN ACTIVE IMMUNIZER who meets board requirements for certification as prescribed by the board by rule.

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

1. Emergency medication to manage an acute allergic reaction to an immunization, vaccine or medication in accordance with GUIDELINES FROM the United States centers for disease control and prevention’s advisory committee on immunization practices for adults and the American academy of pediatrics for minors.

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

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

1. Report the administration to NOTIFY the person's identified primary care provider or physician within forty-eight hours after administering the immunization, vaccine or emergency medication and as prescribed by the board by rule. The pharmacist shall make a reasonable effort to identify the person's primary care provider or physician by one or more of the following methods:
   (a) Checking any adult THE ARIZONA STATE immunization information system or vaccine registry established by the department of health services.
   (b) Checking pharmacy records.
   (c) Requesting the information from the person or, in the case of a minor, the person's parent or guardian.

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

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

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

5. Participate in any federal NOTIFY THE vaccine adverse event reporting system or successor database IN ACCORDANCE WITH THE UNITED STATES CENTERS FOR DISEASE CONTROL AND PREVENTION'S ADVISORY COMMITTEE RECOMMENDATIONS.
6. PROVIDE VACCINE INFORMATION MATERIALS TO THOSE REQUESTING IMMUNIZATIONS OR VACCINES AND, FOR PERSONS UNDER EIGHTEEN YEARS OF AGE, PROVIDE EDUCATIONAL MATERIALS TO THE PERSON’S PARENT OR GUARDIAN ABOUT THE IMPORTANCE OF PEDIATRIC PREVENTIVE HEALTH CARE VISITS AS RECOMMENDED BY THE AMERICAN ACADEMY OF PEDIATRICS.

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

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

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

(c) EMERGENCY MANAGEMENT POLICIES AND PROCEDURES.

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

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

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

2. Recordkeeping and reporting requirements.

3. Requirements and qualifications for pharmacist certification AUTHORIZATION pursuant to this section.

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

5. The administration of emergency medication pursuant to this section.

I. H. The department of health services, by rule, shall establish and maintain a list of immunizations or vaccines that may be administered to adults by a pharmacist only pursuant to a prescription order. In adopting and maintaining this list, the department is exempt from the rulemaking requirements of title 41, chapter 6. The department shall
adopt its initial rules within six months after receipt of the recommendations of the advisory committee appointed by the board and shall hold one public hearing before implementing the rules and any amendments to the rules. The list shall include those immunizations or vaccines listed in the United States centers for disease control and prevention's recommended adult immunization schedule or recommended by the United States centers for disease control and prevention's health information for international travel that have adverse reactions that could cause significant harm to a patient's health. A pharmacist may not administer immunizations or vaccines without a prescription order pursuant to this section before the department has established the list pursuant to this subsection. The board may not authorize a pharmacist to administer new immunizations or vaccines without a prescription order pursuant to this section until the department reviews the new immunizations and vaccines to determine if they should be added to the list established pursuant to this subsection.

J. The board may appoint an advisory committee to assist the board in adopting and amending rules and developing protocols relating to the administration of immunizations, vaccines and emergency medications and certification requirements.

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

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

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

N. For the purposes of this section, "Emergency medication" means emergency epinephrine, corticosteroids, albuterol, oxygen and antihistamines in accordance with guidelines from the United States centers for disease control and prevention's advisory committee on immunization practices for adults and the American Academy of Pediatrics for minors.

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

APPROVED BY THE GOVERNOR JULY 6, 2022.