

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 388
PROPOSED COMMITTEE SUBSTITUTE H388-PCS40301-SH-8

Short Title: Immunizing Pharmacists.

(Public)

Sponsors:

Referred to:

March 20, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW IMMUNIZING PHARMACISTS TO ADMINISTER THE
3 INFLUENZA VACCINE TO PEOPLE TEN YEARS OF AGE AND OLDER AND TO
4 ADMINISTER VACCINES RECOMMENDED BY THE CENTER FOR DISEASE
5 CONTROL AND PREVENTION TO PEOPLE AT LEAST EIGHTEEN YEARS OF AGE
6 PURSUANT TO A WRITTEN PROTOCOL TO INCREASE ACCESS TO VACCINES IN
7 THE BEST INTEREST OF THE PUBLIC HEALTH OF THE CITIZENS OF NORTH
8 CAROLINA.

9 The General Assembly of North Carolina enacts:

10 SECTION 1. G.S. 90-85.15B reads as rewritten:

11 "§ 90-85.15B. Immunizing pharmacists.

12 (a) Except as provided in subsection (b) and (c) of this section, an immunizing pharmacist
13 may administer vaccinations or immunizations only if the vaccinations or immunizations are
14 recommended or required by the Centers for Disease Control and Prevention and administered
15 to persons at least 18 years of age pursuant to a specific prescription order.

16 (b) An immunizing pharmacist may administer the vaccinations or immunizations listed
17 in subdivisions (1) through ~~(5)~~ (7) of this subsection to persons at least 18 years of age if the
18 vaccinations or immunizations are administered under written protocols as defined in 21 NCAC
19 46. 2507(b)(12) and 21 NCAC 32U. 0101(b)(12) and in accordance with the supervising
20 physician's responsibilities as defined in 21 NCAC 46. 2507(e) and 21 NCAC 32U. 0101(e), and
21 the physician is licensed in and has a practice physically located in North Carolina:

22 (1) Pneumococcal polysaccharide or pneumococcal conjugate vaccines.

23 (2) Herpes zoster vaccine.

24 (3) Hepatitis B vaccine.

25 (4) Meningococcal polysaccharide or meningococcal conjugate
26 ~~vaccines~~ vaccines and Serogroup B meningococcal vaccines.

27 (5) Tetanus-diphtheria, tetanus and diphtheria toxoids and pertussis, tetanus and
28 diphtheria toxoids and acellular pertussis, or tetanus toxoid vaccines.
29 However, a pharmacist shall not administer any of these vaccines if the patient
30 discloses that the patient has an open wound, puncture, or tissue tear.

31 (6) Human Papillomavirus vaccine.

32 (7) Hepatitis A vaccine.

33 (c) An immunizing pharmacist may administer the influenza vaccine to persons at least
34 ~~14-10~~ years of age pursuant to 21 NCAC 46. 2507 and 21 NCAC 32U. 0101. An immunizing
35 pharmacist may administer an influenza vaccine to persons at least six years of age pursuant to a



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1 specific prescription order initiated by a prescriber following a physical examination of the
2 patient by the prescriber.

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4 **SECTION 2.** Representatives of the North Carolina Academy of Family Physicians,
5 the North Carolina Medical Society, the North Carolina Pediatric Society, the North Carolina
6 Association of Community Pharmacists, the North Carolina Association of Pharmacists, and the
7 North Carolina Retail Merchants Association are directed to cooperate and collaborate to
8 recommend a minimum standard screening questionnaire and safety procedures for written
9 protocols for vaccinations or immunizations administered under G.S. 90-85.15B(b)(6)-(7). The
10 questionnaire and recommended standards shall be submitted to the North Carolina Board of
11 Medicine, the North Carolina Board of Nursing, the North Carolina Board of Pharmacy, and the
12 Joint Legislative Oversight Committee on Health and Human Services on or before August 1,
13 2019. In the event that the questionnaire and recommended standards are not submitted by
14 August 1, 2019, the Immunization Branch of the North Carolina Division of Public Health shall
15 develop the questionnaire and recommended standards and submit them to the North Carolina
16 Board of Medicine, the North Carolina Board of Nursing, the North Carolina Board of Pharmacy,
17 and the Joint Legislative Oversight Committee on Health and Human Services by September 15,
18 2019.

19 **SECTION 3.** Section 1 of this act becomes effective on October 1, 2019, and the
20 remainder of this act is effective when it becomes law.