

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 96
Committee Substitute Favorable 5/11/21
PROPOSED SENATE COMMITTEE SUBSTITUTE H96-PCS10507-BC-41

Short Title: Allow Pharmacists to Admin. Injectable Drugs.

(Public)

Sponsors:

Referred to:

February 17, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE IMMUNIZING PHARMACISTS TO ORDER, DISPENSE,
3 DELIVER, AND ADMINISTER CERTAIN TREATMENT AND MEDICATIONS.

4 Whereas, it is the intention of the North Carolina General Assembly to improve access
5 to care and health outcomes for its citizens; and

6 Whereas, North Carolina's public health ranking is in the bottom one-half to one-third
7 of the nation; and

8 Whereas, one-third of our nation's states have authorized pharmacists to help with
9 access to care related to public health needs beyond immunizations; and

10 Whereas, North Carolinians need and deserve better accessibility to care; Now,
11 therefore,

12 The General Assembly of North Carolina enacts:

13 **SECTION 1.** G.S. 90-85.15B, as amended by Section 2.9 of S.L. 2021-3 and
14 Sections 2 and 3 of this act, reads as rewritten:

15 "**§ 90-85.15B. Immunizing pharmacists.**

16 (a) Except as provided in ~~subsection (b) and (c)~~ subsections (b), (b1), and (c) of this
17 section, an immunizing pharmacist may administer vaccinations or immunizations only if the
18 vaccinations or immunizations are recommended or required by the Centers for Disease Control
19 and Prevention and administered to persons at least 18 years of age pursuant to a specific
20 prescription order.

21 ...

22 (c) An immunizing pharmacist may administer ~~the influenza vaccine to persons at least~~
23 ~~10 years of age pursuant to 21 NCAC 46. 2507 and 21 NCAC 32U. 0101. An immunizing~~
24 ~~pharmacist may administer an influenza vaccine any other vaccinations approved by the United~~
25 ~~States Food and Drug Administration in accordance with the protocols established by the~~
26 ~~Advisory Committee on Immunization Practices~~ to persons at least six years of age pursuant to
27 a specific prescription order initiated by a prescriber following a physical examination of the
28 patient by the prescriber.

29 ...

30 (c2) An immunizing pharmacist may order, dispense, deliver, or administer the following
31 medications:

32 (1) Nicotine replacement therapy that is approved by the United States Food and
33 Drug Administration.

34 (2) Self-administered oral or transdermal contraceptives after the patient
35 completes an assessment consistent with the Centers for Disease Control and



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1 Prevention's United States Medical Eligibility Criteria (US MEC) for
2 Contraceptive Use; however, an immunizing pharmacist shall not order,
3 dispense, deliver, or administer ulipristal acetate for emergency contraception
4 without a prescription from a prescriber licensed under this Chapter.

5 (3) Prenatal vitamins.

6 (4) Post-exposure prophylaxis medications for the prevention of human
7 immunodeficiency virus pursuant to guidelines and recommendations of the
8 Centers for Disease Control and Prevention

9 (5) Glucagon or other self-administered formulations for the management of
10 hypoglycemia.

11 (c3) An immunizing pharmacist may administer to a patient any prescribed,
12 self-administered injectable medication.

13 ...

14 (d1) An immunizing pharmacist who orders, dispenses, delivers, or administers a
15 medication listed in subsection (c2) of this section to a patient shall do all of the following:

16 (1) Maintain a record of medication administered to the patient in a patient profile.

17 (2) Within 72 hours after administration of the medication, notify any primary
18 care provider identified by the patient. If the patient does not identify a
19 primary care provider, the immunizing pharmacist shall direct the patient to
20 information describing the benefits to a patient of having a primary care
21 provider, including information about federally qualified health centers, free
22 clinics, and local health departments, prepared by any of the following: North
23 Carolina Medical Board, North Carolina Academy of Family Physicians,
24 North Carolina Medical Society, or Community Care of North Carolina.

25 (3) Furnish patient records to the patient upon the patient's request.

26 (4) Furnish patient records to the primary care provider identified by the patient
27 upon the primary care provider's request.

28 (5) If the immunizing pharmacist has administered or dispensed a hormonal
29 contraceptive to the patient, the immunizing pharmacist shall counsel the
30 patient about preventative care, including well-woman visits, sexually
31 transmitted infection testing information, and Pap smear testing.

32 (e) An immunizing pharmacist that orders, dispenses, delivers, or administers the
33 medications listed in subsection (c2) of this section shall do all of the following:

34 (1) Comply with rules adopted by the North Carolina Medical Board and the
35 North Carolina Board of Pharmacy governing the approval of the individual
36 immunizing pharmacist to order, dispense, deliver, or administer the
37 medications with limitations that the Boards determine to be in the best
38 interest of patient health and safety.

39 (2) Have current approval from both Boards.

40 (3) Provide the name, business address, business phone, and business fax number
41 of the pharmacy and immunizing pharmacist on any communication with a
42 prescriber."

43 **SECTION 2.** G.S. 90-85.15B(c1), as amended by Section 2.9 of S.L. 2021-3, reads
44 as rewritten:

45 "(c1) An immunizing pharmacist may administer a long-acting injectable ~~medication~~
46 medication, including testosterone injections and vitamin B12, to persons at least 18 years of age
47 pursuant to a specific prescription order initiated by a prescriber following a ~~physical~~ an
48 examination of the patient which conforms to the standards of acceptable and prevailing medical
49 practice by the prescriber. An immunizing pharmacist who administers a long-acting injectable
50 medication pursuant to this section shall do all of the following:

- 1 (1) Maintain a record of any administration of a long-acting injectable performed
2 by the immunizing pharmacist to the patient in a patient profile or record.
- 3 (2) Within 72 hours after the administration of the long-acting injectable
4 performed by the immunizing pharmacist to the patient, notify the prescriber
5 regarding which medication and dosage was administered to the patient.
- 6 (3) Within 72 hours of receipt of a specific prescription, notify the prescriber of
7 the long-acting injectable medication if the medication was not administered
8 to the patient."

9 **SECTION 3.** G.S. 90-85.15B, as amended by Section 2.9 of S.L. 2021-3, is amended
10 by adding a new subsection to read:

11 "(b1) An immunizing pharmacist may administer (i) an influenza vaccine, (ii) a COVID-19
12 vaccine approved by the United States Food and Drug Administration, or (iii) a COVID-19
13 vaccine authorized under an emergency use authorization by the United States Food and Drug
14 Administration to persons at least 10 years of age pursuant to 21 NCAC 46 .2507 and 21 NCAC
15 32U .0101. An immunizing pharmacist may administer (i) an influenza vaccine, (ii) a COVID-19
16 vaccine approved by the United States Food and Drug Administration, or (iii) a COVID-19
17 vaccine authorized under an emergency use authorization by the United States Food and Drug
18 Administration to persons at least six years of age pursuant to a specific prescription order
19 initiated by a prescriber following a physical examination of the patient by the prescriber. When
20 supervised by an immunizing pharmacist, pharmacy interns and pharmacy technicians who have
21 completed immunization-related continuing pharmacy education approved by the Accreditation
22 Council for Pharmacy Education may administer (i) an influenza vaccine, (ii) a COVID-19
23 vaccine approved by the United States Food and Drug Administration, or (iii) a COVID-19
24 vaccine authorized under an emergency use authorization by the United States Food and Drug
25 Administration to persons at least 10 years of age pursuant to 21 NCAC 46 .2507 and 21 NCAC
26 32U .0101."

27 **SECTION 4.(a)** The North Carolina Medical Board and the North Carolina Board
28 of Pharmacy joint subcommittee shall develop statewide written protocols and amend existing
29 rules and protocols to (i) encompass the new authorized treatments and practices as authorized
30 in this act and (ii) develop a statement of ethics for immunizing pharmacists.

31 **SECTION 4.(b)** The North Carolina Medical Board and the North Carolina Board
32 of Pharmacy joint subcommittee shall adopt rules to govern the administration of vaccines by
33 pharmacy technicians as authorized in this act.

34 **SECTION 5.** The State Health director shall issue a standing order authorizing
35 immunizing pharmacists to dispense, deliver, and administer the medications described in
36 G.S. 90-85.15B(c2), as amended by Section 1 of this act. The standing order shall remain in
37 effect until the later of the development of the protocols described in Section 4(a) of this act or
38 January 1, 2023.

39 **SECTION 6.** Section 1 of this act becomes effective February 1, 2022, and applies
40 to immunizing pharmacists, pharmacy technicians, and pharmacy interns on or after that date.
41 Sections 2 and 4 of this act become effective October 1, 2021. Section 3 of this act becomes
42 effective September 1, 2021. The remainder of this act is effective when it becomes law.