
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1535 Session of
2021

INTRODUCED BY GROVE, WHEELAND, JAMES, PICKETT, HILL-EVANS,
ZIMMERMAN, RYAN, KAUFFMAN, MENTZER, SAYLOR, LONGIETTI,
BERNSTINE, FRITZ AND DELOZIER, JUNE 3, 2021

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 3, 2021

AN ACT

1 Amending the act of September 27, 1961 (P.L.1700, No.699),
2 entitled "An act relating to the regulation of the practice
3 of pharmacy, including the sales, use and distribution of
4 drugs and devices at retail; and amending, revising,
5 consolidating and repealing certain laws relating thereto,"
6 further providing for authority to administer injectable
7 medications, biologicals and immunizations.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 9.2 of the act of September 27, 1961
11 (P.L.1700, No.699), known as the Pharmacy Act, is amended to
12 read:

13 Section 9.2. Authority to Administer Injectable Medications,
14 Biologicals and Immunizations.--[(a) The board shall by
15 regulation establish education and training standards and
16 practice guidelines pursuant to which pharmacists shall be
17 authorized to administer injectable medications, biologicals and
18 immunizations to persons who are more than eighteen years of age
19 and influenza immunizations by injectable or needle-free
20 delivery methods to persons nine years of age and older. Such

1 standards and guidelines shall include, but not be limited to,
2 the following:

3 (1) Satisfactory completion of an academic and practical
4 curriculum approved by the board that includes the current
5 guidelines and recommendations of the Centers for Disease
6 Control and Prevention in the Public Health Service of the
7 United States Department of Health and Human Services, the
8 American Council on Pharmaceutical Education or a similar health
9 authority or professional body and includes, but is not limited
10 to, disease epidemiology, vaccine characteristics, injection
11 technique, emergency response to adverse events and related
12 topics.

13 (2) Maintenance of a current cardiopulmonary resuscitation
14 (CPR) certificate acceptable to the board.

15 (3) That the administration of injectable medications,
16 biologicals and immunizations be in accordance with a definitive
17 set of treatment guidelines established by a physician and the
18 Centers for Disease Control and Prevention, Advisory Committee
19 on Immunization Practices guidelines or another competent
20 authority approved by the board.

21 (4) That a minimum of two hours of the thirty-hour
22 requirement for continuing education for license renewal be
23 dedicated to this area of practice.

24 (5) For individuals under eighteen years of age, that
25 parental consent be obtained prior to administration.
26 Administration of influenza immunizations by injectable or
27 needle-free delivery methods shall be in accordance with the
28 immunization schedule established by the Centers for Disease
29 Control and Prevention.

30 (6) Maintenance of a level of professional liability

1 insurance coverage in the minimum amount of one million dollars
2 (\$1,000,000) per occurrence or claims made. Failure to maintain
3 insurance coverage as required shall subject the licensees to
4 disciplinary proceedings. The board shall accept as satisfactory
5 evidence of insurance coverage any of the following:

6 (i) personally purchased liability insurance;

7 (ii) professional liability insurance coverage provided by
8 the individual licensee's employer; or

9 (iii) similar insurance coverage acceptable to the board.

10 (7) Notification of the individual's primary care provider,
11 if known, within forty-eight hours of administration.]

12 (a.1) The board shall by regulation establish education and
13 training standards and practice guidelines pursuant to which
14 pharmacists shall be authorized to administer:

15 (1) injectable medications, biologicals and immunizations to
16 persons who are more than eighteen years of age; and

17 (2) the following immunizations by injectable or needle-free
18 delivery methods to persons who are three years of age and
19 older:

20 (i) A vaccine listed in the United States Centers for
21 Disease Control and Prevention's recommended immunization
22 schedule recommended by the Federal Advisory Committee on
23 Immunization Practices; or

24 (ii) A vaccine recommended in the United States Centers for
25 Disease Control and Prevention's Health Information for
26 International Travel; or

27 (iii) A vaccine listed on the Food and Drug Administration's
28 Vaccines Licensed for Use in the United States; or

29 (iv) A vaccine authorized through Emergency Use
30 Authorization by the Food and Drug Administration.

1 (a.2) The standards and guidelines to be established by the
2 board shall include, but not be limited to, the following:

3 (1) Satisfactory completion of an academic and practical
4 curriculum approved by the board that includes the current
5 guidelines and recommendations of the Centers for Disease
6 Control and Prevention in the Public Health Service of the
7 United States Department of Health and Human Services, the
8 Accreditation Council for Pharmacy Education or a similar health
9 authority or professional body and includes, but is not limited
10 to, disease epidemiology, vaccine characteristics, injection
11 technique, emergency response to adverse events and related
12 topics.

13 (2) Registration with the board or certification as a
14 certified pharmacy technician from either the Pharmacy
15 Technician Certification Board or National Healthcareer
16 Association and satisfactory completion of a practical training
17 program that is approved by the Accreditation Council for
18 Pharmacy Education or a similar health authority and a minimum
19 of two hours of approved immunization-related continuing
20 pharmacy education. The practical training program must include,
21 but is not limited to, hands-on injection technique and the
22 recognition and treatment of emergency reactions to vaccines.

23 (3) Acceptable proof of education and training standards as
24 evidenced by the immunization credentials or a license of an
25 individual who, at the time of filing an application is licensed
26 as a pharmacist and has immunization credentials or a license,
27 if applicable, in another state or territory of the United
28 States.

29 (4) Maintenance of a current cardiopulmonary resuscitation
30 (CPR) certificate acceptable to the board.

1 (5) That the administration of injectable medications,
2 biologicals and immunizations be in accordance with a definitive
3 set of treatment guidelines established by a physician and the
4 Centers for Disease Control and Prevention, Advisory Committee
5 on Immunization Practices guidelines or another competent
6 authority approved by the board.

7 (6) That a minimum of two hours of the thirty-hour
8 requirement for continuing education for license renewal be
9 dedicated to this area of practice.

10 (7) For individuals under eighteen years of age, that
11 parental consent be obtained prior to administration.
12 Administration of influenza immunizations by injectable or
13 needle-free delivery methods shall be in accordance with the
14 immunization schedule established by the Centers for Disease
15 Control and Prevention, the Advisory Committee on Immunization
16 Practices or another competent authority.

17 (8) Maintenance of a level of professional liability
18 insurance coverage in the minimum amount of one million dollars
19 (\$1,000,000) per occurrence or claims made. Failure to maintain
20 insurance coverage as required shall subject the licensees to
21 disciplinary proceedings. The board shall accept as satisfactory
22 evidence of insurance coverage any of the following:

- 23 (i) personally purchased liability insurance;
24 (ii) professional liability insurance coverage provided by
25 the individual licensee's employer; or
26 (iii) similar insurance coverage acceptable to the board.

27 (9) Notification of the individual's primary care provider,
28 if known, within forty-eight hours of administration.

29 (b) A pharmacist's authority to administer injectable
30 medications, biologicals and immunizations [shall not] may be

1 delegated to [any other person] a pharmacy technician or
2 pharmacy intern trained in accordance with this section. A
3 pharmacy intern who has completed a course of education and
4 training which meets the requirements of subsection [(a) (1) and
5 (2)] (a.2) (1) and (4) and a pharmacy technician who meets the
6 requirements of subsection (a.2) (2) and (4) may administer
7 injectable medications, biologicals and immunizations to persons
8 who are more than eighteen years of age and [influenza] the
9 immunizations listed in subsection (a.1) (2) by injectable or
10 needle-free delivery methods to persons [nine] who are three
11 years of age and older only under the direct, immediate and
12 personal supervision of a pharmacist holding the authority to
13 administer injectable medications, biologicals and
14 immunizations.

15 (c) A supervising pharmacist shall report the administration
16 of vaccines under this section to the immunization registry
17 maintained by the Department of Health within seventy-two hours
18 of vaccine administration and to the patient's primary care
19 physician in accordance with subsection (a.2) (9).

20 (d) A pharmacist, pharmacy intern and pharmacy technician
21 who administers an immunization to a person under eighteen years
22 of age in accordance with this section shall inform the parent
23 or adult caregiver on the importance of a well-child visit with
24 a pediatrician or other licensed primary care provider and refer
25 the patient as appropriate.

26 (e) Nothing in this section shall be construed to prohibit a
27 supervising pharmacist from delegating the reporting of vaccine
28 administration in subsection (c) to a pharmacy technician or
29 pharmacy intern.

30 Section 2. This act shall take effect in 60 days.