

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 32

S.P. 21

In Senate, January 15, 2013

**An Act To Expand the Types of Vaccines That May Be
Administered by Pharmacists**

Reference to the Committee on Labor, Commerce, Research and Economic Development suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator JOHNSON of Lincoln.
Cosponsored by Representative SANBORN of Gorham and
Senators: CLEVELAND of Androscoggin, GRATWICK of Penobscot, PATRICK of Oxford,
Representatives: CAMPBELL of Newfield, VOLK of Scarborough.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §13831, sub-§2**, as amended by PL 2011, c. 577, §3, is further
3 amended to read:

4 **2. Administration of other vaccines.** A pharmacist licensed in this State who meets
5 the qualifications and requirements of section 13832 and rules adopted by the board, in
6 addition to influenza vaccines under subsection 1, may administer vaccines licensed by
7 the United States Food and Drug Administration that are recommended by the United
8 States Centers for Disease Control and Prevention Advisory Committee on Immunization
9 Practices, or successor organization, for administration to adults to a person 18 years of
10 age or older according to a valid prescription when the person has an existing primary
11 care physician or other existing relationship with a nurse practitioner or an authorized
12 practitioner in this State. A pharmacist may administer vaccines licensed by the United
13 States Food and Drug Administration that are outside the guidelines recommended by the
14 United States Centers for Disease Control and Prevention Advisory Committee on
15 Immunization Practices, or successor organization, to a person 18 years of age or older
16 according to a valid prescription when the person has an existing primary care physician
17 or other existing relationship with a nurse practitioner or an authorized practitioner in this
18 State if the prescription specifically states that the vaccine is medically necessary. When
19 the person does not have an existing relationship with a primary care physician, nurse
20 practitioner or other practitioner in this State, the pharmacist may proceed to administer
21 according to a treatment protocol established by an authorized practitioner or a written
22 standing order from a practitioner authorized under the laws of this State to issue an
23 order, a prescription or a protocol to a person 18 years of age or older for vaccines
24 licensed by the United States Food and Drug Administration that are recommended by
25 the United States Centers for Disease Control and Prevention Advisory Committee on
26 Immunization Practices, or successor organization, for administration to adults.

27 **SUMMARY**

28 Current law allows a pharmacist to administer a vaccine licensed by the United States
29 Food and Drug Administration to a person 18 years of age or older with a valid
30 prescription as long as the vaccine is recommended by the United States Centers for
31 Disease Control and Prevention Advisory Committee on Immunization Practices and the
32 person has a primary care physician or other existing relationship with a nurse
33 practitioner or an authorized practitioner.

34 This bill allows a pharmacist also to administer a vaccine licensed by the United
35 States Food and Drug Administration to a person 18 years of age or older who has a
36 primary care physician or other existing relationship with a nurse practitioner or an
37 authorized practitioner if the vaccine is outside the guidelines recommended by the
38 United States Centers for Disease Control and Prevention Advisory Committee on
39 Immunization Practices if the prescription specifically states that the vaccine is medically
40 necessary.