

MAINE STATE LEGISLATURE

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126th MAINE LEGISLATURE

FIRST REGULAR SESSION-2013

Legislative Document

No. 148

H.P. 123

House of Representatives, January 31, 2013

**An Act To Amend the Laws Governing Drugs and Vaccines
Administered by Pharmacists**

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

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative NUTTING of Oakland.
Cosponsored by Senator CUSHING of Penobscot and
Representatives: CAMPBELL of Newfield, TURNER of Burlington, VOLK of Scarborough,
WINCHENBACH of Waldoboro, Senator: PATRICK of Oxford.

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~~ 9 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. When the person does not have an existing relationship with a
13 primary care physician, nurse practitioner or other practitioner in this State, the
14 pharmacist may proceed to administer according to a treatment protocol established by an
15 authorized practitioner or a written standing order from a practitioner authorized under
16 the laws of this State to issue an order, a prescription or a protocol to a person ~~18~~ 9 years
17 of age or older for vaccines licensed by the United States Food and Drug Administration
18 that are recommended by the United States Centers for Disease Control and Prevention
19 Advisory Committee on Immunization Practices, or successor organization, for
20 administration to ~~adults~~ a person 9 years of age or older.

21 **Sec. 2. 32 MRSA §13834, sub-§1**, as amended by PL 2011, c. 577, §7, is further
22 amended to read:

23 **1. Delegate authority.** A pharmacist may not delegate the pharmacist's authority to
24 administer drugs or vaccines; except that a pharmacist licensed under this chapter who
25 has obtained a certificate of administration pursuant to section 13832 may delegate the
26 authority to administer drugs and vaccines to a pharmacy intern who is under that
27 pharmacist's direct supervision.

28 **SUMMARY**

29 This bill allows a pharmacist to administer certain vaccines to a person 9 years of age
30 or older according to a valid prescription. Current law allows a pharmacist to administer
31 these vaccines to a person 18 years of age or older.

32 This bill also allows a pharmacy intern to administer drugs and vaccines under the
33 direct supervision of a licensed pharmacist who is certified for the administration of drugs
34 and vaccines.