

MAINE STATE LEGISLATURE

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Time
R. of S.

Date: 5/18/17 Minority (Filing No. H- 208)

LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 323, L.D. 456, Bill, "An Act To Increase Access to Vaccinations"

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'Sec. 1. 32 MRSA §13831, sub-§2, as amended by PL 2013, c. 6, §1, is repealed and the following enacted in its place:

2. Administration of other vaccines. In addition to administering influenza vaccines under subsection 1, a pharmacist licensed in this State who meets the qualifications and requirements of section 13832 and rules adopted by the board may administer vaccines in accordance with this subsection.

A. A pharmacist may administer a booster vaccine that has United States Food and Drug Administration approval or is licensed by the United States Food and Drug Administration and that is listed on the recommended immunization schedule of the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, to a person 11 years of age or older and under 18 years of age according to a valid prescription from the person's primary care physician or a nurse practitioner with whom the person has an existing relationship. A pharmacist who administers a vaccine under this paragraph shall notify the practitioner who issued the prescription of the administration within 3 business days as required by section 13833, subsection 3.

B. A pharmacist may administer a vaccine that has United States Food and Drug Administration approval or is licensed by the United States Food and Drug Administration and that is listed on the recommended immunization schedule of the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices, or successor organization, to a person 18 years of age or older according to a valid prescription from the person's primary care physician or a nurse practitioner with whom the person has an existing relationship or according to a treatment protocol or a written standing order from a practitioner authorized under the laws of this State to issue a protocol or order. A pharmacist who administers a

COMMITTEE AMENDMENT

1 vaccine under this paragraph shall notify the practitioner who issued the prescription,
2 protocol or standing order of the administration within 3 business days as required by
3 section 13833, subsection 3.

4 C. A pharmacist may administer a vaccine licensed by the United States Food and
5 Drug Administration that is outside the guidelines recommended on the
6 recommended immunization schedule of the United States Centers for Disease
7 Control and Prevention Advisory Committee on Immunization Practices, or successor
8 organization, to a person 18 years of age or older according to a valid prescription
9 from the person's primary care physician or a nurse practitioner with whom the
10 person has an existing relationship or from an authorized practitioner in this State if
11 the prescription specifically states that the vaccine is medically necessary. A
12 pharmacist who administers a vaccine under this paragraph shall notify the
13 practitioner who issued the prescription of the administration within 3 business days
14 as required by section 13833, subsection 3.'

15 SUMMARY

16 This amendment, which is the minority report of the committee, replaces the bill and
17 reorganizes the law that allows pharmacists to administer vaccines other than the
18 influenza vaccine. Under the amendment, pharmacists may administer booster vaccines
19 listed on the United States Centers for Disease Control and Prevention's recommended
20 immunization schedule to a person 11 years of age or older and under 18 years of age
21 according to a valid prescription from the person's primary care physician or nurse
22 practitioner as long as the pharmacist notifies the prescriber of the administration within 3
23 business days.

24 This amendment also authorizes pharmacists to administer vaccines on the
25 recommended immunization schedule to adults according to a valid prescription,
26 treatment protocol or written standing order from an authorized practitioner in this State.
27 This amendment retains the requirement in current law that a pharmacist may not
28 administer a vaccine that is not on the recommended immunization schedule unless the
29 adult seeking the vaccine has a valid prescription stating that the vaccine is medically
30 necessary.

FISCAL NOTE REQUIRED
(See attached)



128th MAINE LEGISLATURE

LD 456

LR 1734(02)

An Act To Increase Access to Vaccinations

Fiscal Note for Bill as Amended by Committee Amendment *A(H-208)*
Committee: Labor, Commerce, Research and Economic Development

Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - Other Special Revenue Funds

Fiscal Detail and Notes

Additional costs to the Department of Professional and Financial Regulation, Maine Board of Pharmacy, to implement the requirements of this legislation can be absorbed within the board's existing budgeted resources.