

# MAINE STATE LEGISLATURE

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Date: 5/22/23

L D 899  
(Filing No H-262)

**HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H P 555, L D 899, "An Act to Authorize Vaccine Administration by Pharmacy Technicians and Reduce Vaccine Administration Training Requirements for Pharmacists"

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

**Sec. 1. 32 MRSA §13831, sub-§6** is enacted to read

6. Administration of vaccines by pharmacy technician. A pharmacy technician may administer vaccines in accordance with the requirements of this section if the pharmacy technician

- A Holds a valid unrestricted pharmacy technician license in this State,
- B Consistent with rules adopted by the board, works under the direct supervision of a pharmacist who meets the requirements of section 13832,
- C Possesses a current certificate of administration issued by the board The pharmacy technician must submit an application in the form prescribed by the board together with the requirements set forth under this section and certificate fee as set forth under section 13724 The certificate of administration expires and is subject to the conditions in the same manner as in section 13734, and
- D Submits evidence acceptable to the board that the pharmacy technician has completed a certification program approved by the board consisting of at least 6 hours of vaccine-related training that includes, at a minimum, training on the safe and effective administration of vaccines, hands-on injection technique, clinical evaluation of indications and contraindications of vaccines and the recognition and treatment of emergency reactions to vaccines and cardiovascular life support training as described in section 13832, subsection 5

**Sec. 2. 32 MRSA §13832, sub-§3**, as enacted by PL 2009, c 308, §3, is amended to read

**COMMITTEE AMENDMENT**

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**3. Training.** Submit evidence acceptable to the board that the pharmacist, ~~within the 3 years immediately preceding application for a certificate of administration~~

A. Has completed a 20-hour course of study in the areas of drug administration authorized under this subchapter and as described in subsection 4 within the 3 years immediately preceding application for a certificate of administration,

B Has graduated with a Doctor of Pharmacy degree from a college of pharmacy accredited by the American Council on Pharmaceutical Education or successor organization within the 3 years immediately preceding application for a certificate of administration that includes completion of training in the areas of drug administration authorized under this subchapter satisfactory to the board, including instruction in the areas identified in subsection 4 received as part of the pharmacist's pharmacy degree program, or

C. ~~Possesses a current~~ Has a valid certificate of administration issued by ~~another~~ any jurisdiction of the United States or its territories within the 3 years immediately preceding application for a certificate of administration that authorizes the pharmacist to administer drugs comparable to those authorized under this chapter and that is based on the pharmacist's completion of training or course work as described in subsection 4, or its equivalent as determined by the board, and has continuous administration practice since the pharmacist received such training or since completion of a retraining program as required in this subchapter, as long as such retraining incorporates the areas identified in subsection 4,

**Sec. 3. 32 MRSA §13834,** as amended by PL 2013, c 98, §1, is further amended to read

**§13834. Prohibited acts**

**1. Delegate authority.** A pharmacist may not delegate the pharmacist's authority to administer drugs or vaccines; except that a pharmacist licensed under this chapter who has obtained a certificate of administration pursuant to section 13832 may delegate the authority to administer drugs and vaccines to a pharmacy technician who is under that pharmacist's direct supervision and has met the requirements of section 13831, subsection 6 or to a pharmacy intern who is under that pharmacist's direct supervision and who has obtained drug administration training pursuant to section 13832, subsection 3 A pharmacy intern may administer drugs and vaccines only to a person 18 years of age or older

**2. Administer drugs.** A pharmacist may not engage in the administration of drugs or vaccines unless the pharmacist meets the qualifications and requirements of section 13832 and the pharmacist has obtained a board-issued certificate of administration A pharmacy technician may not engage in the administration of drugs or vaccines unless the pharmacy technician meets the qualifications and requirements of section 13831, subsection 6 and the pharmacy technician has obtained a board-issued certificate of administration'

Amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively

**SUMMARY**

This amendment replaces the bill. The amendment authorizes pharmacy technicians to administer vaccines under the direct supervision of a pharmacist if they have met certain

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COMMITTEE AMENDMENT "A" to H P 555, L D 899

1 specified training requirements and have been issued a certification of administration by  
2 the Maine Board of Pharmacy The amendment authorizes a fee to be established for the  
3 certificate of administration The amendment also clarifies the timing of when drug or  
4 vaccine administration training requirements must be completed by pharmacists

5 **FISCAL NOTE REQUIRED**

6 (See attached)

**COMMITTEE AMENDMENT**



Approved 05/08/23 *mac*

# 131st MAINE LEGISLATURE

LD 899

LR 1016(02)

**An Act to Authorize Vaccine Administration by Pharmacy Technicians and Reduce Vaccine Administration Training Requirements for Pharmacists**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (H-202)  
Committee: Health Coverage, Insurance and Financial Services**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - Other Special Revenue Funds  
Minor revenue increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Additional costs to the Maine Board of Pharmacy within the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation to implement the requirements of this legislation can be absorbed within existing budgeted resources. The amount of revenue to be received by the board from certificate fees is expected to be minor.