

MAINE STATE LEGISLATURE

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131st MAINE LEGISLATURE

FIRST REGULAR SESSION-2023

Legislative Document

No. 899

H.P. 555

House of Representatives, February 28, 2023

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

(EMERGENCY)

Reference to the Committee on Health Coverage, Insurance and Financial Services
suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative NUTTING of Oakland.
Cosponsored by Representatives: CYRWAY of Albion, MORRIS of Turner, PERRY of
Calais, PRINGLE of Windham, SWALLOW of Houlton.

1 **Emergency preamble.** Whereas, acts and resolves of the Legislature do not
2 become effective until 90 days after adjournment unless enacted as emergencies; and

3 **Whereas,** federal guidance issued under the Public Readiness and Emergency
4 Preparedness Act authorized trained pharmacy technicians to administer certain
5 immunizations under certain circumstances in response to the COVID-19 pandemic for the
6 duration of the federal public health emergency declaration; and

7 **Whereas,** preparing for the end of the federal public health emergency declaration by
8 codifying in state law the authority of pharmacy technicians to administer vaccines is
9 necessary to ensure there is no gap in the provision of services by pharmacy technicians;
10 and

11 **Whereas,** in the judgment of the Legislature, these facts create an emergency within
12 the meaning of the Constitution of Maine and require the following legislation as
13 immediately necessary for the preservation of the public peace, health and safety; now,
14 therefore,

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

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

17 **6. Administration of vaccines by pharmacy technician.** A pharmacy technician
18 may administer vaccines in accordance with the requirements of this section if the
19 pharmacy technician completes a certification program in accordance with this subsection
20 and is working under the direct supervision of a pharmacist who meets the requirements of
21 section 13832. The certification program must be approved by the board and have at least
22 6 hours of vaccine-related training that includes, at a minimum, training on the safe and
23 effective administration of vaccines, including potential allergic reactions to vaccines.

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

26 **3. Training.** Submit evidence acceptable to the board that the pharmacist, ~~within the~~
27 ~~3 years immediately preceding application for a certificate of administration:~~

28 A. Has completed a 20-hour course of study in the areas of drug administration
29 authorized under this subchapter and as described in subsection 4;

30 B. Has graduated with a Doctor of Pharmacy degree from a college of pharmacy
31 accredited by the American Council on Pharmaceutical Education that includes
32 completion of training in the areas of drug administration authorized under this
33 subchapter satisfactory to the board, including instruction in the areas identified in
34 subsection 4 received as part of the pharmacist's pharmacy degree program; or

35 C. Possesses a current certificate of administration issued by another jurisdiction that
36 authorizes the pharmacist to administer drugs comparable to those authorized under
37 this chapter and that is based on the pharmacist's completion of training or course work
38 as described in subsection 4, or its equivalent as determined by the board, and has
39 continuous administration practice since the pharmacist received such training or since
40 completion of a retraining program as required in this subchapter, as long as such
41 retraining incorporates the areas identified in subsection 4;

