

# MAINE STATE LEGISLATURE

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# 131st MAINE LEGISLATURE

## FIRST REGULAR SESSION-2023

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Legislative Document

No. 1151

S.P. 478

In Senate, March 13, 2023

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**An Act to Decrease Barriers for Preventive Health Services by  
Allowing Pharmacy Technicians to Administer Vaccines**

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Reference to the Committee on Health Coverage, Insurance and Financial Services  
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 INGWERSEN of York.  
Cosponsored by Representative MEYER of Eliot and  
Senators: PIERCE of Cumberland, TIPPING of Penobscot, Representatives: BRENNAN of  
Portland, WHITE of Waterville, ZAGER of Portland.

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

2 **Sec. 1. 32 MRSA §13831, sub-§1**, as amended by PL 2015, c. 211, §1, is further  
3 amended to read:

4 **1. Administration of influenza vaccines.** A pharmacist licensed in this State who  
5 meets the qualifications and requirements of section 13832 and rules adopted by the board  
6 may administer topically or by injection or by inhalation all forms of influenza vaccines,  
7 including intranasal influenza vaccines, to a person ~~7~~ 3 years of age or older without a  
8 prescription.

9 **Sec. 2. 32 MRSA §13831, sub-§2**, as amended by PL 2013, c. 6, §1, is further  
10 amended to read:

11 **2. Administration of other vaccines.** A pharmacist licensed in this State who meets  
12 the qualifications and requirements of section 13832 and rules adopted by the board, in  
13 addition to influenza vaccines under subsection 1, may administer vaccines licensed by the  
14 United States Food and Drug Administration that are recommended by the United States  
15 Centers for Disease Control and Prevention Advisory Committee on Immunization  
16 Practices, or successor organization, for administration ~~to adults~~ to a person ~~18~~ 3 years of  
17 age or older ~~according to a valid prescription when the person has an existing primary care~~  
18 ~~physician or other existing relationship with a nurse practitioner or an authorized~~  
19 ~~practitioner in this State.~~ A pharmacist may administer vaccines licensed by the United  
20 States Food and Drug Administration that are outside the guidelines recommended by the  
21 United States Centers for Disease Control and Prevention Advisory Committee on  
22 Immunization Practices, or successor organization, to a person ~~18~~ 3 years of age or older  
23 ~~according to a valid prescription when the person has an existing primary care physician or~~  
24 ~~other existing relationship with a nurse practitioner or an authorized practitioner in this~~  
25 ~~State if the prescription specifically states that the vaccine is medically necessary. When~~  
26 ~~the person does not have an existing relationship with a primary care physician, nurse~~  
27 ~~practitioner or other practitioner in this State, the pharmacist may proceed to administer~~  
28 ~~according to a treatment protocol established by an authorized practitioner or a written~~  
29 ~~standing order from a practitioner authorized under the laws of this State to issue an order,~~  
30 ~~a prescription or a protocol to a person 18 years of age or older for vaccines licensed by the~~  
31 ~~United States Food and Drug Administration that are recommended by the United States~~  
32 ~~Centers for Disease Control and Prevention Advisory Committee on Immunization~~  
33 ~~Practices, or successor organization, for administration to adults.~~

34 **Sec. 3. 32 MRSA §13831, sub-§6** is enacted to read:

35 **6. Administration of vaccines by a pharmacy technician.** A pharmacy technician  
36 who holds a registration to administer vaccines issued by the board and is working under  
37 the direct supervision of a pharmacist who meets the requirements of section 13832 may  
38 administer vaccines under this section.

### 39 SUMMARY

40 This bill authorizes certain pharmacy technicians to administer vaccines under the  
41 supervision of a pharmacist. It changes the age of a person to whom a pharmacist may  
42 administer influenza vaccines without a prescription from a person 7 years of age or older

- 1 to a person 3 years of age or older. It authorizes a pharmacist to administer other vaccines
- 2 to a person 3 years of age or older without a prescription.