

# MAINE STATE LEGISLATURE

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Date: 4/1/26 MAJORITY

HEALTH COVERAGE, INSURANCE AND FINANCIAL SERVICES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
132ND LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1384, L.D. 2071, "An Act to Expand Access to Vaccines Approved by the United States Food and Drug Administration by Allowing Pharmacists to Prescribe, Dispense and Administer Vaccines and Require Insurance Coverage"

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

'Sec. 1. 24-A MRSA §4320-A, sub-§1, ¶B, as enacted by PL 2017, c. 343, §1 and affected by §2, is amended to read:

B. With respect to the individual insured, immunizations that have a recommendation from the federal Department of Health and Human Services, Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices or have been licensed by the federal Food and Drug Administration and that are consistent with the recommendations of the American Academy of Pediatrics, the American Academy of Family Physicians or the American College of Obstetricians and Gynecologists or a successor organization;

Sec. 2. 32 MRSA §13831, sub-§1, as amended by PL 2023, c. 170, §1, is further amended to read:

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

Sec. 3. 32 MRSA §13831, sub-§2, as corrected by RR 2023, c. 2, Pt. A, §49, is amended to read:

2. Administration of other vaccines. A pharmacist licensed in this State who meets the qualifications and requirements of section 13832 and rules adopted by the board, in addition to influenza vaccines under subsection 1, may prescribe, dispense or administer

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1 vaccines licensed by the United States Food and Drug Administration that are  
 2 recommended by the United States Centers for Disease Control and Prevention Advisory  
 3 Committee on Immunization Practices or consistent with recommendations of the  
 4 American Academy of Pediatrics, the American Academy of Family Physicians or the  
 5 American College of Obstetricians and Gynecologists, or a successor organization, for  
 6 administration to a person 18 years of age or older. A pharmacist may administer vaccines  
 7 licensed by the United States Food and Drug Administration that are recommended by the  
 8 United States Centers for Disease Control and Prevention Advisory Committee on  
 9 Immunization Practices or consistent with the recommendations of the American Academy  
 10 of Pediatrics, the American Academy of Family Physicians or the American College of  
 11 Obstetricians and Gynecologists, or a successor organization, for administration to a person  
 12 3 years of age or older and under 18 years of age according to a valid prescription from a  
 13 prescriber licensed under chapter 31, 36 or 48. A pharmacist may administer vaccines  
 14 licensed by the United States Food and Drug Administration that are outside the guidelines  
 15 recommended by the United States Centers for Disease Control and Prevention Advisory  
 16 Committee on Immunization Practices, or successor organization, for administration to a  
 17 person 18 years of age or older according to a valid prescription if the prescription  
 18 specifically states that the vaccine is medically necessary.

19 **Sec. 4. 32 MRSA §13831, sub-§2-A**, as enacted by PL 2021, c. 28, Pt. B, §2, is  
 20 amended to read:

21 **2-A. Administration of COVID-19 vaccines.** A pharmacist licensed in this State  
 22 who meets the qualifications and requirements of section 13832 and rules adopted by the  
 23 board may prescribe, dispense, administer and order COVID-19 vaccines licensed or  
 24 authorized under an emergency use authorization by the United States Food and Drug  
 25 Administration ~~that are recommended by the United States Centers for Disease Control and~~  
 26 ~~Prevention Advisory Committee on Immunization Practices, or successor organization,~~ to  
 27 a person ~~3 years~~ 6 months of age or older. For the purposes of this subsection, "COVID-  
 28 19" has the same meaning as in Title 24-A, section 4320-P, subsection 1, paragraph A.

29 **Sec. 5. 32 MRSA §13831, sub-§7**, as enacted by PL 2023, c. 170, §3 and  
 30 reallocated by RR 2023, c. 1, Pt. A, §28, is amended to read:

31 **7. Notification of vaccines administration.** A pharmacist licensed in this State who  
 32 meets the qualifications and requirements of section 13832 and rules adopted by the board  
 33 shall provide a written immunization record to the person, or the person's representative,  
 34 receiving a vaccine administered under this section. ~~Within 72 hours of administering a~~  
 35 ~~vaccine, a pharmacist shall notify the person's primary care provider, if any, of~~  
 36 ~~administration of the vaccine.~~ Beginning August 1, 2023, a pharmacist shall report the  
 37 administration of the vaccine to the appropriate state immunization information reporting  
 38 system within 72 hours of administering the vaccine.

39 **Sec. 6. 32 MRSA §13834, sub-§1**, as amended by PL 2023, c. 245, §3, is further  
 40 amended to read:

41 **1. Delegate authority.** A pharmacist may not delegate the pharmacist's authority to  
 42 administer drugs or vaccines; except that a pharmacist licensed under this chapter who has  
 43 obtained a certificate of administration pursuant to section 13832 may delegate the  
 44 authority to administer vaccines to a pharmacy technician who is under that pharmacist's  
 45 direct supervision and has met the requirements of section 13831, subsection 6 or may

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1 delegate the authority to administer drugs and vaccines to a pharmacy intern who is under  
2 that pharmacist's direct supervision and who has obtained drug administration training  
3 pursuant to section 13832, subsection 3. ~~A pharmacy intern may administer drugs and~~  
4 ~~vaccines only to a person 18 years of age or older.~~

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

7 **SUMMARY**

8 This amendment, which is the majority report of the committee, replaces the  
9 substantive provisions of the bill but retains the emergency clause and emergency  
10 preamble. The amendment allows pharmacists to prescribe, dispense or administer  
11 vaccines to a person 18 years of age or older, or a person over 6 months of age specifically  
12 for influenza and COVID-19 vaccines, and to dispense or administer other vaccines with a  
13 prescription to a person 3 years of age or older. Vaccines must be licensed by the federal  
14 Food and Drug Administration and may be recommended by the United States Centers for  
15 Disease Control and Prevention Advisory Committee on Immunization Practices or be  
16 consistent with recommendations of the American Academy of Pediatrics, the American  
17 Academy of Family Physicians or the American College of Obstetricians and  
18 Gynecologists. It removes the prohibition on pharmacy interns administering drugs and  
19 vaccines to a person under 18 years of age, which will allow pharmacy interns with  
20 appropriate training to administer a drug or vaccine under a pharmacist's direct supervision.  
21 It removes the requirement that a pharmacist notify the person's primary care provider  
22 within 72 hours of administering a vaccine, as this information is required to be reported  
23 in the state immunization information reporting system.

24 The amendment also clarifies that insurance carriers are authorized to provide coverage  
25 for vaccines without any deductible, copayment, coinsurance or other cost-sharing  
26 reimbursement that have been licensed by the federal Food and Drug Administration and  
27 that are consistent with the recommendations of the American Academy of Pediatrics, the  
28 American Academy of Family Physicians or the American College of Obstetricians and  
29 Gynecologists.

30 **FISCAL NOTE REQUIRED**  
31 (See attached)



# 132nd MAINE LEGISLATURE

LD 2071

LR 2608(02)

**An Act to Expand Access to Vaccines Approved by the United States Food and Drug Administration  
by Allowing Pharmacists to Prescribe, Dispense and Administer Vaccines and Require Insurance  
Coverage**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (H-956)  
Committee: Health Coverage, Insurance and Financial Services**

**Fiscal Note Required: Yes**

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## Fiscal Note

Minor cost increase - General Fund  
Minor cost increase - Other Special Revenue Funds

### Fiscal Detail and Notes

Any additional administrative costs to the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation associated with changes to pharmacist vaccine prescribing and administration authority can be absorbed within existing budgeted resources.

Any additional costs to the State Employee Health Plan can be absorbed within existing budgeted resources.