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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **2402**

02/27/2014 Authored by Liebling, Abeler and Zerwas

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act
1.2 relating to health; specifying the protocol for pharmacist administration of
1.3 vaccines; amending Minnesota Statutes 2012, section 151.01, subdivision 27.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2012, section 151.01, subdivision 27, is amended to read:

1.6 Subd. 27. **Practice of pharmacy.** "Practice of pharmacy" means:

1.7 (1) interpretation and evaluation of prescription drug orders;

1.8 (2) compounding, labeling, and dispensing drugs and devices (except labeling by
1.9 a manufacturer or packager of nonprescription drugs or commercially packaged legend
1.10 drugs and devices);

1.11 (3) participation in clinical interpretations and monitoring of drug therapy for
1.12 assurance of safe and effective use of drugs;

1.13 (4) participation in drug and therapeutic device selection; drug administration for first
1.14 dosage and medical emergencies; drug regimen reviews; and drug or drug-related research;

1.15 (5) participation in administration of influenza vaccines to all eligible individuals ten
1.16 years of age and older and all other vaccines to patients 18 years of age and older ~~under~~
1.17 ~~standing orders from a physician licensed under chapter 147 or by written protocol with a~~
1.18 physician licensed under chapter 147, a physician assistant authorized to prescribe drugs
1.19 under chapter 147A, or an advanced practice nurse authorized to prescribe drugs under
1.20 section 148.235, provided that:

1.21 (i) the protocol includes, at a minimum:

1.22 (A) the name, dose, and route of each vaccine that may be given;

1.23 (B) the patient population for whom the vaccine may be given;

1.24 (C) contraindications and precautions to the vaccine;

- 2.1 (D) the procedure for handling an adverse reaction;
- 2.2 (E) the name, signature, and address of the physician, physician assistant, or
- 2.3 advanced practice nurse;
- 2.4 (F) a telephone number at which the physician, physician assistant, or advanced
- 2.5 practice nurse can be contacted; and
- 2.6 (G) the date and time period for which the protocol is valid;
- 2.7 (ii) the pharmacist is ~~trained in~~ has successfully completed a program approved
- 2.8 by the ~~American~~ Accreditation Council of ~~Pharmaceutical~~ for Pharmacy Education,
- 2.9 specifically for the administration of immunizations, or ~~graduated from a college of~~
- 2.10 pharmacy in 2001 or thereafter a program approved by the board; and
- 2.11 (~~ii~~) (iii) the pharmacist reports the administration of the immunization to the patient's
- 2.12 primary physician or clinic, or to the Minnesota Immunization Information Connection; and
- 2.13 (iv) the pharmacist complies with guidelines for vaccines and immunizations
- 2.14 established by the federal Advisory Committee on Immunization Practices (ACIP), except
- 2.15 that a pharmacist does not need to comply with those portions of the guidelines that establish
- 2.16 immunization schedules when administering a vaccine pursuant to a valid prescription
- 2.17 order issued by a physician licensed under chapter 147, a physician assistant authorized to
- 2.18 prescribe drugs under chapter 147A, or an advanced practice nurse authorized to prescribe
- 2.19 drugs under section 148.235, provided that the prescription drug order is consistent with
- 2.20 United States Food and Drug Administration-approved labeling of the vaccine;
- 2.21 (6) participation in the practice of managing drug therapy and modifying drug
- 2.22 therapy, according to section 151.21, subdivision 1, according to a written protocol
- 2.23 between the specific pharmacist and the individual dentist, optometrist, physician,
- 2.24 podiatrist, or veterinarian who is responsible for the patient's care and authorized to
- 2.25 independently prescribe drugs. Any significant changes in drug therapy must be reported
- 2.26 by the pharmacist to the patient's medical record;
- 2.27 (7) participation in the storage of drugs and the maintenance of records;
- 2.28 (8) responsibility for participation in patient counseling on therapeutic values,
- 2.29 content, hazards, and uses of drugs and devices; and
- 2.30 (9) offering or performing those acts, services, operations, or transactions necessary
- 2.31 in the conduct, operation, management, and control of a pharmacy.