

**PRESENTATION OF THE  
BOARD OF PHARMACY**

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-SIXTH LEGISLATURE  
Regular Session of 2012

Tuesday, February 7, 2012  
10:00 a.m.

**TESTIMONY ON HOUSE BILL NO. 1966, RELATING TO VACCINATIONS.**

TO THE HONORABLE RYAN I. YAMANE CHAIR,  
AND MEMBERS OF THE COMMITTEE:

My name is Lee Ann Teshima, Executive Officer for the Board of Pharmacy ("Board"). I appreciate the opportunity to testify on House Bill No. 1966, Relating to Vaccinations, that would allow a pharmacist to administer the influenza vaccine to persons between the ages of fourteen and seventeen pursuant to a valid prescription and comply with other reporting and training requirements.

I would like to preface my comments by informing the Committee that the Board has not yet reviewed this bill, which is scheduled for discussion at the Board's next meeting on February 16, 2012. It is at this meeting that all proposed legislation regarding amendments to Chapter 461, Hawaii Revised Statutes, are slated to be addressed in a public forum to which all interested parties may attend.

The Board, when it meets, will need to consider if the language in the bill, as recommended by the immunization task force pursuant to Act 125, SLH 2010, promotes patient safety.

Thank you for the opportunity to testify on House Bill No. 1966.



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Tuesday, February 7, 2012

To: The Honorable Ryan I. Yamane  
Chair, House Committee on Health

From: 'Ohana Health Plan

Re: House Bill 1966-Relating to Vaccinations

Hearing: Tuesday, February 7, 2012, 10:00 a.m.  
Hawai'i State Capitol, Room 329

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'Ohana Health Plan is managed by a local team of experienced health care professionals who embrace cultural diversity, advocate preventative care and facilitate communications between members and providers. Our philosophy is to place members and their families at the center of the health care continuum.

'Ohana Health Plan is offered by WellCare Health Insurance of Arizona, Inc. WellCare provides managed care services exclusively for government-sponsored health care programs serving approximately 2.4 million Medicaid and Medicare members nationwide. 'Ohana has been able to take WellCare's national experience and that of our local team to develop an 'Ohana care model that addresses local members' health care, long-term care and care coordination needs.

We appreciate this opportunity to testify in support of House Bill 1966-Relating to Vaccinations. The purpose of this bill is to allow pharmacists, per a physician's prescription, to administer the influenza vaccine to persons aged fourteen to seventeen provided that the pharmacist has fulfilled certain requirements.

This bill will assist in increasing the ability of children ages 14 to 17 to access influenza vaccinations, or flu shots. This recommendation comes after thorough vetting by the Hawai'i State Board of Pharmacy and is also supported by the Hawai'i Pharmacists Association.

Thank you for this opportunity to submit testimony in support of House Bill 1966-Relating to Vaccinations.

# GOODSILL ANDERSON QUINN & STIFEL

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**TO:** Representative Ryan I. Yamane  
Chair, Committee on Health  
*Via Email: HLTtestimony@Capitol.hawaii.gov*

**FROM:** Mihoko E. Ito

**DATE:** February 6, 2012

**RE:** **H.B. 1966 – Relating to Vaccinations**  
**Hearing Date: Tuesday, February 7, 2012 at 10:00 a.m.**  
**Conference Room 329**

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I am Mihoko Ito, an attorney with Goodsill Anderson Quinn & Stifel, submitting comments on behalf of Walgreen Co. (“Walgreens”). Walgreens operates more than 8,200 locations in all 50 states, the District of Columbia and Puerto Rico. In Hawai‘i, Walgreens now has 11 stores on the islands of Oahu, Maui and Hawai‘i.

Walgreens **supports** H.B. 1966, which allows pharmacists to administer the influenza vaccine to persons aged fourteen to seventeen with a physician's prescription, provided that the pharmacist has fulfilled certain requirements. We support the passage of this measure, recognizing that it is the result of the collaborative efforts of the members of the vaccination task force formed pursuant to Act 125, Session Laws of Hawaii 2010.

In Hawaii, the current law allows for vaccines to be given to person 18 years or older pursuant to a collaborative practice agreement. Walgreens ultimately supports the lowering of the age restrictions to age 9 for the flu and other pharmacist-administered vaccines without a physician’s prescription. To date, 27 other states have a lowered their age restrictions to at least 9 years old, and in most of these states this practice is allowed this practice pursuant to a physician protocol, rather than a prescription.

However, we support H.B. 1966 as a result of the work of the task force, because we believe that increasing access to vaccines is an important public, and appreciate that the issue was fully considered and analyzed by the interested stakeholders.

Allowing pharmacists to administer vaccinations is a low-cost and convenient way to meet an important public health need. Studies have shown that in states in which

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pharmacists are allowed to administer vaccines, the vaccine coverage rates are increased for the target population.

Pharmacists are required to receive specialized training to administer vaccinations. Presently, Walgreens pharmacists who participate in vaccine programs go through a "Pharmacy-Based Immunization Delivery" certificate training program offered by the American Pharmacists Association and recognized by the Centers for Disease Control and Prevention (CDC), or a state approved equivalent program. In addition to immunization training, all participating pharmacists are required to become certified in adult and child CPR and take OSHA blood-borne pathogens training. These programs include training to administer vaccines for children nine years of age and older.

Walgreens is committed to promoting public health by improving the accessibility of life-saving vaccines. We believe that, given proper training and certification for pharmacists, lowering the age restrictions for pharmacist-administered vaccines will improve access to vaccines and serve as a valuable preventative tool. In Hawai'i, it would also allow for a quick and effective response to vaccinate a large number of people in the event of a public health emergency.

Thank you very much for the opportunity to testify on this measure.

February 7, 2012

To: Representative Ryan Yamane, Chair  
Representative Dee Morikawa, Vice Chair  
Members of the House Committee on Health

From: Susan Houghton, Director of Public Affairs and  
Government Relations

Re: Safeway Support for HB 1966: Relating to Vaccinations

Thank you for the opportunity to submit in **support** of HB 1966.

HB 1966 allows pharmacists, per a physician's prescription, to administer the influenza vaccine to persons aged fourteen to seventeen provided that the pharmacist has fulfilled certain requirements. This measure is a significant and important step toward making influenza vaccines more readily available to a wider population.

Thank you for the opportunity to share our views on this important legislation. Should you have additional questions, please do not hesitate to contact me at (925) 467-2212 or George Glukfeld, our Hawaii district manager at (808) 524-4554.

Sincerely,

Susan M. Houghton  
Director of Public Affairs and Government Relations



3375 Koapaka Street, D-108 • Honolulu, HI 96819 • (808) 831-0811

February 7, 2012

Representative Ryan Yamane, Chair  
Representative Dee Morikawa, Vice Chair  
Members of the House Committee on Health

Re: HB 1966: Relating to Vaccinations

Dear Chair Yamane, Vice Chair Morikawa, and Members of the House Committee on Health, on behalf of Times Supermarkets, we are writing in **support** of HB 1966.

HB 1966 allows pharmacists, per a physician's prescription, to administer the influenza vaccine to persons aged fourteen to seventeen provided that the pharmacist has fulfilled certain requirements. We believe that this measure is an important step toward making influenza vaccines more readily available to a wider population.

As you may know, Times Supermarkets is based on Oahu and operates 26 stores with locations in Maui, Kauai and Oahu. Please feel free to contact me should you have any questions regarding this matter at (209) 957-2555, ext 153 or Bob Stout, President of Times Supermarket at (808) 831-0811. We thank you in advance for your consideration and we look forward to continuing the dialogue regarding this and other important public policies.

Respectfully,

Bob Gutierrez  
Director of Government Affairs,  
Times Supermarket and Big Save Supermarket

To: Committee on Health  
From: Patrick Adams, Rph  
RE: HB 1966

Honorable Chair and members of the committee,

Opposed:

My name is Patrick Adams, Rph. I am a pharmacist and a pharmacist immunization trainer. I oppose this Bill 1966 in its present state but I do not oppose that there is a need for pharmacist to vaccinate 14 year olds and older patients. The task force was put together determine a pharmacist's ability to provide influenza vaccinations for children 14 to 17 and to determine the need. It appears the task force has determined pharmacists are qualified with training and that there is a need. Bill 1966 over-legislates this practice and will limit access to the needed immunizations. The following are the points I would like the committee to consider:

1. Influenza is not a prescription vaccine. This bill will require a prescription for influenza vaccinations when pharmacist are presently giving all other vaccines through a collaborative agreement without a doctor's written prescription. No other Hawaii provider is required have a prescription to provide influenza vaccinations.
2. This bill will require a pharmacist to re-certify to give influenza to 14 to 17 year olds. The re-certification is required to be reviewed by the Licensing division. There is no other profession that recertifies every 2 years to give immunization. There are MD, PA, RPN and LN giving immunization without a recertification every 2 years.
3. The changes made to the scope of practice for pharmacist is extensive. The Law should address scope of practice and the Board of Pharmacy as a profession should determines the rules for practice. Pharmacy Practice is extensive and varied. Consider what the scope of practice law would look like if all the functions a pharmacist were written with rules listed like this Bill does for immunization.
4. Pharmacy Practice involves healthcare professionals that attend school for 5 or 6 years. They are involved in many areas of practice that is much more dangerous than giving influenza vaccinations to 14 to 17 year olds. Consider the compounding of Chemo medications in the hospitals or nuclear imaging medications. These are everyday practices that are performed daily without specific rules listed in the scope of practice. Rules for practice are usually list in Title 16 chapter 95 "Hawaii Administrative Rules- Pharmacist and Pharmacies"
5. Pharmacist immunization has increased access to the vaccinations need to keep the public safe. Pharmacist have been vaccinating in many states for over 10 years and the safety record speaks for itself. This Bill would not truly increase access as it is now written.

6. The training programs listed in the new Bill are inconsistent with national laws and the state program we have been using over the past 8 years. We have used HPhA trainers but they were certified trainers by the national organization APhA. The program taught has been approved and accepted as a national pharmacists training program. This Bill would have our local HPhA group putting together a continuing education program.

I am asking the committee to consider a change to the present bill. Consider making one small change to the "Practice of Pharmacy". Change only #2 E. of the practice of pharmacy to read "Administering immunization orally, by injection, or by intranasal delivery, to persons fourteen years of age and older for influenza and eighteen years and old for all other vaccines, by a pharmacist having appropriate training that includes programs by the APCE, curriculum-based programs from an ACPE-accredited college of pharmacy, state or local health department programs or programs recognized by the Board of Pharmacy." I believe the rules for this change should be addressed in "Hawaii Administrative Rules" Title 16 Chapter 95 "Pharmacist and Pharmacies".

The task force was formed to determine need and qualifications. The task has suggested there is a need. The task force has made suggestions about how to proceed with rules. If the committee would make an eleven-word change to the "practice of pharmacy" the pharmacy profession could adopt suitable rules the way they have for all the aspects of the practice of pharmacy.

Sincerely,

Patrick L Adams, Rph  
Foodland Supermarkets, LTD  
Director of Pharmacy  
808-640-1848