
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that human papillomavirus
2 is a very common virus that can cause cervical, vaginal, and
3 vulvar cancers in women; penile cancer in men; and anal cancer,
4 cancer of the throat, and genital warts in both men and women.
5 The legislature also finds that the human papillomavirus vaccine
6 is available and protects against infection with and the cancers
7 caused by human papillomavirus.

8 The legislature finds that under current law pharmacists
9 are permitted to administer vaccines to children between the
10 ages of fourteen and seventeen. However, the Centers for
11 Disease Control recommends that preteen boys and girls receive
12 the human papillomavirus vaccine at age eleven or twelve so they
13 are protected prior to any exposure to the virus.

14 The purpose of this Act is to improve the overall health of
15 the population in the State and reduce the incidence of
16 infectious disease and cervical and other cancers by authorizing
17 pharmacists to administer the human papillomavirus vaccine,



1 meningococcal vaccine, influenza vaccine, and tetanus,
2 diphtheria, and pertussis vaccine to children between the ages
3 of eleven and seventeen.

4 SECTION 2. Section 461-1, Hawaii Revised Statutes, is
5 amended by amending the definition of "practice of pharmacy" to
6 read as follows:

7 "Practice of pharmacy" means:

- 8 (1) The interpretation and evaluation of prescription
9 orders; the compounding, dispensing, and labeling of
10 drugs and devices (except labeling by a manufacturer,
11 packer, or distributor of nonprescription drugs and
12 commercially legend drugs and devices); the
13 participation in drug selection and drug utilization
14 reviews; the proper and safe storage of drugs and
15 devices and the maintenance of proper records
16 therefor; the responsibility for advising when
17 necessary or where regulated, of therapeutic values,
18 content, hazards, and use of drugs and devices;
- 19 (2) Performing the following procedures or functions as
20 part of the care provided by and in concurrence with a
21 "health care facility" and "health care service" as



1 defined in section 323D-2, or a "pharmacy" or a
2 licensed physician or a licensed advanced practice
3 registered nurse with prescriptive authority, or a
4 "managed care plan" as defined in section 432E-1, in
5 accordance with policies, procedures, or protocols
6 developed collaboratively by health professionals,
7 including physicians and surgeons, pharmacists, and
8 registered nurses, and for which a pharmacist has
9 received appropriate training required by these
10 policies, procedures, or protocols:

- 11 (A) Ordering or performing routine drug therapy
12 related patient assessment procedures;
- 13 (B) Ordering drug therapy related laboratory tests;
- 14 (C) Initiating emergency contraception oral drug
15 therapy in accordance with a written
16 collaborative agreement approved by the board,
17 between a licensed physician or advanced practice
18 registered nurse with prescriptive authority and
19 a pharmacist who has received appropriate
20 training that includes programs approved by the
21 American Council of Pharmaceutical Education



1 (ACPE), curriculum-based programs from an ACPE-
2 accredited college of pharmacy, state or local
3 health department programs, or programs
4 recognized by the board of pharmacy;

5 (D) Administering drugs orally, topically, by
6 intranasal delivery, or by injection, pursuant to
7 the order of the patient's licensed physician or
8 advanced practice registered nurse with
9 prescriptive authority, by a pharmacist having
10 appropriate training that includes programs
11 approved by the ACPE, curriculum-based programs
12 from an ACPE-accredited college of pharmacy,
13 state or local health department programs, or
14 programs recognized by the board of pharmacy;

15 (E) Administering:
16 (i) Immunizations orally, by injection, or by
17 intranasal delivery, to persons eighteen
18 years of age or older by a pharmacist having
19 appropriate training that includes programs
20 approved by the ACPE, curriculum-based
21 programs from an ACPE-accredited college of



1 pharmacy, state or local health department
2 programs, or programs recognized by the
3 board of pharmacy; [~~and~~]
4 (ii) Vaccines to persons between fourteen and
5 seventeen years of age pursuant to section
6 461-11.4; and
7 (iii) Specified vaccines to persons between eleven
8 and seventeen years of age pursuant to
9 section 461-11.4;
10 (F) As authorized by the written instructions of a
11 licensed physician or advanced practice
12 registered nurse with prescriptive authority,
13 initiating or adjusting the drug regimen of a
14 patient pursuant to an order or authorization
15 made by the patient's licensed physician or
16 advanced practice registered nurse with
17 prescriptive authority and related to the
18 condition for which the patient has been seen by
19 the licensed physician or advanced practice
20 registered nurse with prescriptive authority;
21 provided that the pharmacist shall issue written



1 notification to the patient's licensed physician
2 or advanced practice registered nurse with
3 prescriptive authority or enter the appropriate
4 information in an electronic patient record
5 system shared by the licensed physician or
6 advanced practice registered nurse with
7 prescriptive authority, within twenty-four hours;

8 (G) Transmitting a valid prescription to another
9 pharmacist for the purpose of filling or
10 dispensing;

11 (H) Providing consultation, information, or education
12 to patients and health care professionals based
13 on the pharmacist's training and for which no
14 other licensure is required; or

15 (I) Dispensing an opioid antagonist in accordance
16 with a written collaborative agreement approved
17 by the board, between a licensed physician and a
18 pharmacist who has received appropriate training
19 that includes programs approved by the American
20 Council on Pharmaceutical Education (ACPE),
21 curriculum-based programs from an ACPE-accredited



1 college of pharmacy, state or local health
2 department programs, or programs recognized by
3 the board; and

4 (3) The offering or performing of those acts, services,
5 operations, or transactions necessary in the conduct,
6 operation, management, and control of pharmacy."

7 SECTION 3. Section 461-8, Hawaii Revised Statutes, is
8 amended by amending subsection (e) to read as follows:

9 "(e) A pharmacist who administers any vaccine to persons
10 between the ages of [~~fourteen~~] eleven and seventeen years
11 pursuant to section 461-11.4 shall complete a training program
12 approved by the board within every other biennial renewal period
13 and submit proof of successful completion of the training
14 program to the board; provided that the pharmacist shall meet
15 these requirements prior to administering any vaccine to persons
16 between the ages of [~~fourteen~~] eleven and seventeen years."

17 SECTION 4. Section 461-11.4, Hawaii Revised Statutes, is
18 amended as follows:

19 1. By amending subsection (a) to read:

20 "(a) A pharmacist may administer [a]_:



1 (1) A vaccine to persons between fourteen and seventeen
2 years of age pursuant to a valid prescription[-]; and

3 (2) A human papillomavirus vaccine, meningococcal vaccine,
4 influenza vaccine, or tetanus, diphtheria, and
5 pertussis vaccine to persons between eleven and
6 seventeen years of age pursuant to a valid
7 prescription.

8 The pharmacist shall verify that the prescriber or the
9 prescriber's authorized agent is the patient's medical home."

10 2. By amending subsection (d) to read:

11 "(d) All pharmacists who administer vaccines to persons
12 between the ages of [~~fourteen~~] eleven and seventeen years
13 pursuant to this section shall complete a training program
14 approved by the Accreditation Council of Pharmacy Education for
15 which a certificate of completion is issued. The pharmacist
16 shall complete the training program and submit the completion
17 certificate for the training program to the board prior to
18 administering any vaccine to persons between the ages of
19 [~~fourteen~~] eleven and seventeen years."

20 SECTION 5. Section 461-21, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



1 "(a) In addition to any other actions authorized by law,
2 the board may deny, revoke, or suspend any license or permit
3 applied for or issued by the board, in accordance with this
4 chapter, and fine or otherwise discipline a licensee or permit
5 holder for any cause authorized by law, including but not
6 limited to the following:

- 7 (1) Procuring a license through fraud, misrepresentation,
8 or deceit;
- 9 (2) Professional misconduct, gross carelessness, or
10 manifest incapacity;
- 11 (3) Permitting an unlicensed person to perform activities
12 that require a license under this chapter;
- 13 (4) Violation of any of the provisions of this chapter or
14 the rules adopted pursuant thereto;
- 15 (5) Violation of any state or federal drug, controlled
16 substance, or poison law;
- 17 (6) False, fraudulent, or deceptive advertising;
- 18 (7) Any other conduct constituting fraudulent or dishonest
19 dealings;
- 20 (8) Failure to comply with a board order;



- 1 (9) Making a false statement on any document submitted or
2 required to be filed by this chapter, including a
3 false certification of compliance with the continuing
4 education requirement;
- 5 (10) Habitual intemperance or addiction to the use of
6 habit-forming drugs; or
- 7 (11) Administering a vaccine to a person between [~~fourteen~~
8 eleven and seventeen years of age [~~without complying~~
9 ~~with~~] in violation of section 461-11.4."
- 10 SECTION 6. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.
- 12 SECTION 7. This Act shall take effect on July 1, 2090.



Report Title:

Health; Education; Human Papillomavirus Vaccine; Pharmacists

Description:

Authorizes pharmacists to administer the human papillomavirus, meningococcal, influenza, or tetanus, diphtheria, and pertussis vaccines to persons between eleven and seventeen years of age pursuant to a prescription issued by the person's primary care provider. (HB676 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

