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# 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 and the cancers  
7 caused by human papillomavirus.

8           The legislature further finds that under current law  
9 pharmacists are permitted to administer vaccines to children  
10 between the ages of fourteen and seventeen, whereas the Centers  
11 for Disease Control recommends that preteen boys and girls  
12 receive the human papillomavirus vaccine at age eleven or twelve  
13 so they are protected prior to any exposure to the virus. The  
14 legislature additionally finds that in addition to the human  
15 papillomavirus vaccine, three other vaccines, including the Tdap  
16 (tetanus, diphtheria, pertussis), meningococcal, and influenza  
17 vaccines, make up what is known as the "Adolescent Platform", a



1 series of shots recommended for adolescents between the ages of  
2 eleven and twelve.

3 The purpose of this Act is to improve the overall health of  
4 the population in the State and reduce the incidence of  
5 infectious disease and cervical and other cancers by allowing  
6 pharmacists to administer the human papillomavirus, Tdap  
7 (tetanus, diphtheria, pertussis), meningococcal, and influenza  
8 vaccines to children between the ages of eleven and seventeen.

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

12 "Practice of pharmacy" means:

13 (1) The interpretation and evaluation of prescription  
14 orders; the compounding, dispensing, and labeling of  
15 drugs and devices (except labeling by a manufacturer,  
16 packer, or distributor of nonprescription drugs and  
17 commercially legend drugs and devices); the  
18 participation in drug selection and drug utilization  
19 reviews; the proper and safe storage of drugs and  
20 devices and the maintenance of proper records  
21 therefor; the responsibility for advising when



1 necessary or where regulated, of therapeutic values,  
2 content, hazards, and use of drugs and devices;  
3 (2) Performing the following procedures or functions as  
4 part of the care provided by and in concurrence with a  
5 "health care facility" and "health care service" as  
6 defined in section 323D-2, or a "pharmacy" or a  
7 licensed physician or a licensed advanced practice  
8 registered nurse with prescriptive authority, or a  
9 "managed care plan" as defined in section 432E-1, in  
10 accordance with policies, procedures, or protocols  
11 developed collaboratively by health professionals,  
12 including physicians and surgeons, pharmacists, and  
13 registered nurses, and for which a pharmacist has  
14 received appropriate training required by these  
15 policies, procedures, or protocols:  
16 (A) Ordering or performing routine drug therapy  
17 related patient assessment procedures;  
18 (B) Ordering drug therapy related laboratory tests;  
19 (C) Initiating emergency contraception oral drug  
20 therapy in accordance with a written  
21 collaborative agreement approved by the board,



1           between a licensed physician or advanced practice  
2           registered nurse with prescriptive authority and  
3           a pharmacist who has received appropriate  
4           training that includes programs approved by the  
5           American Council of Pharmaceutical Education  
6           (ACPE), curriculum-based programs from an ACPE-  
7           accredited college of pharmacy, state or local  
8           health department programs, or programs  
9           recognized by the board of pharmacy;

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

20           (E) Administering:



- 1 (i) Immunizations orally, by injection, or by
- 2 intranasal delivery, to persons eighteen
- 3 years of age or older by a pharmacist having
- 4 appropriate training that includes programs
- 5 approved by the ACPE, curriculum-based
- 6 programs from an ACPE-accredited college of
- 7 pharmacy, state or local health department
- 8 programs, or programs recognized by the
- 9 board of pharmacy; [~~and~~]
- 10 (ii) Vaccines to persons between fourteen and
- 11 seventeen years of age pursuant to section
- 12 461-11.4; and
- 13 (iii) Human papillomavirus, Tdap (tetanus,
- 14 diphtheria, pertussis), meningococcal, and
- 15 influenza vaccines to persons between eleven
- 16 and seventeen years of age pursuant to
- 17 section 461-11.4;
- 18 (F) As authorized by the written instructions of a
- 19 licensed physician or advanced practice
- 20 registered nurse with prescriptive authority,
- 21 initiating or adjusting the drug regimen of a



1 patient pursuant to an order or authorization  
2 made by the patient's licensed physician or  
3 advanced practice registered nurse with  
4 prescriptive authority and related to the  
5 condition for which the patient has been seen by  
6 the licensed physician or advanced practice  
7 registered nurse with prescriptive authority;  
8 provided that the pharmacist shall issue written  
9 notification to the patient's licensed physician  
10 or advanced practice registered nurse with  
11 prescriptive authority or enter the appropriate  
12 information in an electronic patient record  
13 system shared by the licensed physician or  
14 advanced practice registered nurse with  
15 prescriptive authority, within twenty-four hours;  
16 (G) Transmitting a valid prescription to another  
17 pharmacist for the purpose of filling or  
18 dispensing;  
19 (H) Providing consultation, information, or education  
20 to patients and health care professionals based



- 1                   on the pharmacist's training and for which no  
2                   other licensure is required; or
- 3           (I)   Dispensing an opioid antagonist in accordance  
4                   with a written collaborative agreement approved  
5                   by the board, between a licensed physician and a  
6                   pharmacist who has received appropriate training  
7                   that includes programs approved by the [~~American~~  
8                   ~~Council on Pharmaceutical Education~~-(]ACPE[+)],  
9                   curriculum-based programs from an ACPE-accredited  
10                  college of pharmacy, state or local health  
11                  department programs, or programs recognized by  
12                  the board; and
- 13           (3)   The offering or performing of those acts, services,  
14                  operations, or transactions necessary in the conduct,  
15                  operation, management, and control of pharmacy."

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

18           "(e)   A pharmacist who administers any vaccine to persons  
19           between the ages of fourteen and seventeen years or administers  
20           the human papillomavirus, Tdap (tetanus, diphtheria, pertussis),  
21           meningococcal, or influenza vaccine to persons between eleven



1 and seventeen years of age pursuant to section 461-11.4 shall  
2 complete a training program approved by the board within every  
3 other biennial renewal period and submit proof of successful  
4 completion of the training program to the board; provided that  
5 the pharmacist shall meet these requirements prior to  
6 administering any vaccine to persons between the ages of  
7 fourteen and seventeen years[-] or administering the human  
8 papillomavirus, Tdap (tetanus, diphtheria, pertussis),  
9 meningococcal, or influenza vaccine to persons between eleven  
10 and seventeen years of age."

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

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

14 "(a) A pharmacist may administer [a]:

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

17 (2) A human papillomavirus, Tdap (tetanus, diphtheria,  
18 pertussis), meningococcal, or influenza vaccine to  
19 persons between eleven and seventeen years of age  
20 pursuant to a valid prescription.





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

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

4 "(d) All pharmacists who administer vaccines to persons  
5 between the ages of fourteen and seventeen years or administer  
6 human papillomavirus, Tdap (tetanus, diphtheria, pertussis),  
7 meningococcal, and influenza vaccines to persons between the  
8 ages of eleven and seventeen years shall complete a training  
9 program approved by the Accreditation Council of Pharmacy  
10 Education for which a certificate of completion is issued. The  
11 pharmacist shall complete the training program and submit the  
12 completion certificate for the training program to the board  
13 prior to administering any vaccine to persons between the ages  
14 of fourteen and seventeen years[-] and prior to administering  
15 any human papillomavirus, Tdap (tetanus, diphtheria, pertussis),  
16 meningococcal, or influenza vaccine to persons between the ages  
17 of eleven and seventeen years."

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

20 "(a) In addition to any other actions authorized by law,  
21 the board may deny, revoke, or suspend any license or permit



1 applied for or issued by the board, in accordance with this  
2 chapter, and fine or otherwise discipline a licensee or permit  
3 holder for any cause authorized by law, including but not  
4 limited to the following:

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



1 false certification of compliance with the continuing  
2 education requirement;

3 (10) Habitual intemperance or addiction to the use of  
4 habit-forming drugs; or

5 (11) Administering a vaccine [~~to a person between fourteen~~  
6 ~~and seventeen years of age~~], including a human  
7 papillomavirus, Tdap (tetanus, diphtheria, pertussis),  
8 meningococcal, or influenza vaccine, without complying  
9 with 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, 2059.



**Report Title:**

Health; Vaccines; Pharmacists; Training

**Description:**

Authorizes pharmacists to administer the human papillomavirus, Tdap (tetanus, diphtheria, pertussis), meningococcal, or influenza vaccine to persons between eleven and seventeen years of age. Specifies requirements pharmacists must meet prior to administering the human papillomavirus, Tdap (tetanus, diphtheria, pertussis), meningococcal, or influenza vaccine.  
(SB514 HD1)

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

