
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 pharmacies and
2 pharmacists have a critical role in the State's health care
3 system. Pharmacies are often vital and convenient access points
4 in the community for prescriptions, routine testing,
5 immunizations, and patient education. Pharmacists are trusted
6 health care professionals who have established relationships
7 with their patients, medical providers, and hospitals and can
8 improve optimal patient care.

9 The legislature further finds that in response to the
10 coronavirus disease 2019 (COVID-19) pandemic, the federal
11 government issued an emergency declaration under the Public
12 Readiness and Emergency Preparedness (PREP) Act in April of
13 2020. In addition to other health care measures, the PREP Act
14 authorized pharmacists to order and administer COVID-19
15 vaccinations and other routine immunizations to adults and
16 children three years of age and older. The legislature also
17 finds that when the PREP Act expires at the end of 2024, this



1 important health care practice that has been safely performed by
2 pharmacists will no longer be available to children ages three
3 through ten. The legislature therefore finds that codifying the
4 current standard of care for minor immunizations into state law
5 will ensure that pharmacists can continue to provide this
6 necessary health care service so that all individuals ages three
7 and older will continue to have convenient and safe access to
8 routine immunizations.

9 Accordingly, the purpose of this Act is to authorize
10 pharmacists to order and administer immunizations and
11 vaccinations to children three years of age and older under
12 state law.

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

16 ""Practice of pharmacy" means:

17 (1) The interpretation and evaluation of prescription
18 orders; the compounding, dispensing, and labeling of
19 drugs and devices (except labeling by a manufacturer,
20 packer, or distributor of nonprescription drugs and
21 commercially legend drugs and devices); the



1 participation in drug selection and drug utilization
2 reviews; the proper and safe storage of drugs and
3 devices and the maintenance of proper records
4 therefor; the responsibility for advising when
5 necessary or where regulated, of therapeutic values,
6 content, hazards, and use of drugs and devices; and
7 the interpretation and evaluation of prescription
8 orders to adjust the supply dispensed for purposes of
9 medication synchronization pursuant to section
10 431:10A-606, 432:1-621, or 432D-30;

11 (2) Performing the following procedures or functions as
12 part of the care provided by and in concurrence with a
13 "health care facility" and "health care service" as
14 defined in section 323D-2; or a "pharmacy"; or a
15 licensed physician, a licensed physician assistant, or
16 a licensed advanced practice registered nurse with
17 prescriptive authority; or a "managed care plan" as
18 defined in section 432E-1, in accordance with
19 policies, procedures, or protocols developed
20 collaboratively by health professionals, including
21 physicians and surgeons, pharmacists, physician



1 assistants, and registered nurses, and for which a
2 pharmacist has received appropriate training required
3 by these policies, procedures, or protocols:

4 (A) Ordering or performing routine drug therapy
5 related patient assessment procedures;

6 (B) Ordering drug therapy related laboratory tests;

7 (C) Initiating emergency contraception oral drug
8 therapy in accordance with a written

9 collaborative agreement approved by the board,

10 between a licensed physician, physician

11 assistant, or advanced practice registered nurse

12 with prescriptive authority and a pharmacist who

13 has received appropriate training that includes

14 programs approved by the Accreditation Council

15 for Pharmacy Education (ACPE), curriculum-based

16 programs from an ACPE-accredited college of

17 pharmacy, state or local health department

18 programs, or programs recognized by the board;

19 (D) Administering drugs orally, topically, by

20 intranasal delivery, or by injection, pursuant to

21 the order of the patient's licensed physician,



1 physician assistant, or advanced practice
2 registered nurse with prescriptive authority, by
3 a pharmacist having appropriate training that
4 includes programs approved by the ACPE,
5 curriculum-based programs from an ACPE-accredited
6 college of pharmacy, state or local health
7 department programs, or programs recognized by
8 the board;

9 (E) Administering[+]

10 ~~(i) Immunizations]~~ immunizations orally, by
11 injection, or by intranasal delivery, to
12 persons [~~eighteen~~] three years of age or
13 older by a pharmacist having appropriate
14 training that includes programs approved by
15 the ACPE, curriculum-based programs from an
16 ACPE-accredited college of pharmacy, state
17 or local health department programs, or
18 programs recognized by the board[+] pursuant
19 to section 461-11.4;



1 ~~[(ii) Vaccines to persons between fourteen and~~
2 ~~seventeen years of age pursuant to section~~
3 ~~461-11.4; and~~
4 ~~(iii) Human papillomavirus, Tdap (tetanus,~~
5 ~~diphtheria, pertussis), meningococcal, and~~
6 ~~influenza vaccines to persons between eleven~~
7 ~~and seventeen years of age pursuant to~~
8 ~~section 461-11.4;]~~

9 (F) As authorized by the written instructions of a
10 licensed physician, physician assistant, or
11 advanced practice registered nurse with
12 prescriptive authority, initiating or adjusting
13 the drug regimen of a patient pursuant to an
14 order or authorization made by the patient's
15 licensed physician, physician assistant, 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, physician assistant, or
20 advanced practice registered nurse with
21 prescriptive authority; provided that the



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

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

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

17 (I) Prescribing and dispensing an opioid antagonist
18 pursuant to section 461-11.8;

19 (3) The offering or performing of those acts, services,
20 operations, or transactions necessary in the conduct,
21 operation, management, and control of pharmacy;



- 1 (4) Prescribing and dispensing contraceptive supplies
- 2 pursuant to section 461-11.6; and
- 3 (5) Notwithstanding any other law to the contrary, and in
- 4 accordance with the requirements of section 461-11.2,
- 5 ordering, performing, and reporting the results of the
- 6 following CLIA-waived tests:
- 7 (A) Blood glucose;
- 8 (B) Hemoglobin A1C;
- 9 (C) Hepatitis C;
- 10 (D) Human immunodeficiency virus;
- 11 (E) Influenza;
- 12 (F) Respiratory syncytial virus;
- 13 (G) SARS-CoV-2; or
- 14 (H) Streptococcal pharyngitis."

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

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



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

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

12 "**§461-11.4 Vaccinations; children.** (a) [~~A pharmacist~~
 13 ~~may administer:~~

14 ~~(1) A vaccine to persons between fourteen and seventeen~~
 15 ~~years of age pursuant to a valid prescription; and~~

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

20 ~~The pharmacist shall verify that the prescriber or the~~
 21 ~~prescriber's authorized agent is the patient's medical home.] A~~



1 pharmacist may order and administer a vaccine to persons three
2 years of age and older provided that:

3 (1) The vaccine is authorized or approved by the United
4 States Food and Drug Administration; and

5 (2) The vaccination is ordered and administered according
6 to the standard immunization schedule set forth by the
7 Advisory Committee on Immunization Practices.

8 (b) After the vaccination is administered, the pharmacist
9 shall immediately provide to the patient a vaccination record
10 including the following information:

11 (1) The patient's name and date of birth;

12 (2) The type of vaccine administered; and

13 (3) The date and location that the vaccine was
14 administered.

15 (c) The pharmacist shall provide within seventy-two hours
16 to the medical home and within five business days to the
17 department of health immunization registry the same information
18 provided to the patient pursuant to subsection (b) as well as
19 the following:



1 (1) The name of the vaccine product that was administered,
2 including the manufacturer, lot number, and expiration
3 date;

4 (2) The method of administration; and

5 (3) The anatomical site of administration.

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

20 (e) For the purposes of this section, "medical home" means
21 the primary care physician who, working in collaboration with



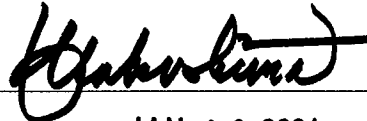
1 the family, oversees the acute, chronic, and preventive health
2 needs of the patient in a comprehensive, coordinated, and
3 continuous fashion."

4 SECTION 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.

7

INTRODUCED BY:



JAN 19 2024



Report Title:

Vaccinations; Children; Pharmacists; Pharmacies

Description:

Authorizes pharmacists to order and administer immunizations and vaccinations to children three years of age and older under state law.

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

