
HOUSE BILL No. 1067

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-26-13-31.2.

Synopsis: Immunizations by pharmacists. Adds pneumonia to the immunizations that a pharmacist is allowed to administer to a group of individuals under a drug order, under a prescription, or according to a protocol approved by a physician if certain requirements are met. Provides that if a physician uses a protocol, the protocol may apply only to an individual (or group of individuals) who are: (1) at least nine years of age but less than 18 years of age if the individual's parent or guardian is present and consents to the immunization; or (2) at least 18 years of age. (Current law requires an individual given an immunization by a pharmacist pursuant to a protocol to be at least 14 years of age). Requires a pharmacist or pharmacist's designee to provide immunization data to the immunization data registry unless the patient or the patient's parent or guardian completes a immunization data exemption form.

Effective: July 1, 2012.

Davisson

January 9, 2012, read first time and referred to Committee on Public Health.

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Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1067



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 25-26-13-31.2, AS AMENDED BY P.L.197-2011,
- 2 SECTION 109, IS AMENDED TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2012]: Sec. 31.2. (a) A pharmacist may
- 4 administer an immunization to an individual under a drug order or
- 5 prescription.
- 6 (b) A pharmacist may administer an immunization for influenza, ~~or~~
- 7 shingles (herpes zoster), **or pneumonia** to a group of individuals under
- 8 a drug order, under a prescription, or according to a protocol approved
- 9 by a physician if the following requirements are met:
- 10 (1) The physician specifies in the drug order, prescription, or
- 11 protocol the group of individuals to whom the immunization may
- 12 be administered.
- 13 (2) The physician who writes the drug order, prescription, or
- 14 protocol is licensed in Indiana and not employed by a pharmacy.
- 15 (3) The pharmacist who administers the immunization is
- 16 responsible for notifying, not later than fourteen (14) days after
- 17 the pharmacist administers the immunization, the physician who



1 authorized the immunization and the individual's primary care
 2 physician that the individual received the immunization.

3 (4) If the physician uses a protocol, the protocol may apply only
 4 to an individual or group of individuals who are at least:

5 (A) ~~fourteen (14)~~ **nine (9)** years of age but less than eighteen
 6 (18) years of age, if the pharmacist receives the consent of a
 7 parent or legal guardian, and the parent or legal guardian is
 8 present at the time of immunization; or

9 (B) eighteen (18) years of age.

10 (c) If the state department of health or the department of homeland
 11 security determines that an emergency exists, a pharmacist may
 12 administer any immunization in accordance with:

13 (1) the requirements of subsection (b)(1) through (b)(3); and

14 (2) any instructions in the emergency determination.

15 **(d) A pharmacist or pharmacist's designee shall provide**
 16 **immunization data to the immunization data registry (IC 16-38-5)**
 17 **in a manner prescribed by the state department of health unless:**

18 **(1) the patient; or**

19 **(2) the patient's parent or guardian, if the patient is less than**
 20 **eighteen (18) years of age;**

21 **has completed and filed with the pharmacist or pharmacist's**
 22 **designee a written immunization data exemption form, as provided**
 23 **in IC 16-38-5-2.**

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