
HOUSE BILL No. 1104

DIGEST OF INTRODUCED BILL

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

Synopsis: Immunizations by pharmacists. Adds immunizations for pneumonia and tetanus, diphtheria, and acellular pertussis (Tdap) 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 provides that an individual given an immunization by a pharmacist pursuant to a protocol must 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 an immunization data exemption form.

Effective: July 1, 2013.

Frizzell

January 8, 2013, read first time and referred to Committee on Public Health.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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HOUSE BILL No. 1104



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, 2013]: Sec. 31.2. (a) A pharmacist may
4 administer an immunization to an individual under a drug order or
5 prescription.
6 (b) **Subject to subsection (c)**, a pharmacist may administer ~~an~~
7 ~~immunization~~ **immunizations** for **the following to a group of**
8 **individuals under a drug order, under a prescription, or according**
9 **to a protocol approved by a physician:**
10 (1) Influenza. ~~or~~
11 (2) Shingles (herpes zoster).
12 (3) **Pneumonia.**
13 (4) **Tetanus, diphtheria, and acellular pertussis (whooping**
14 **cough).** ~~to a group of individuals under a drug order, under a~~
15 ~~prescription, or according to a protocol approved by a physician~~
16 (c) **A pharmacist may administer an immunization under**
17 **subsection (b)** if the following requirements are met:



- 1 (1) The physician specifies in the drug order, prescription, or
 2 protocol the group of individuals to whom the immunization may
 3 be administered.
- 4 (2) The physician who writes the drug order, prescription, or
 5 protocol is licensed in Indiana and not employed by a pharmacy.
- 6 (3) The pharmacist who administers the immunization is
 7 responsible for notifying, not later than fourteen (14) days after
 8 the pharmacist administers the immunization, the physician who
 9 authorized the immunization and the individual's primary care
 10 physician that the individual received the immunization.
- 11 (4) If the physician uses a protocol, the protocol may apply only
 12 to an individual or group of individuals who are at least:
- 13 (A) ~~fourteen (14)~~ **nine (9)** years of age but less than eighteen
 14 (18) years of age, if the pharmacist receives the consent of a
 15 parent or legal guardian, and the parent or legal guardian is
 16 present at the time of immunization; or
 17 (B) eighteen (18) years of age.
- 18 ~~(c)~~ **(d)** If the state department of health or the department of
 19 homeland security determines that an emergency exists, a pharmacist
 20 may administer any immunization in accordance with:
- 21 (1) the requirements of subsection ~~(b)(1)~~ **(c)(1)** through ~~(b)(3)~~;
 22 **(c)(3)**; and
 23 (2) any instructions in the emergency determination.
- 24 **(e) A pharmacist or pharmacist's designee shall provide**
 25 **immunization data to the immunization data registry (IC 16-38-5)**
 26 **in a manner prescribed by the state department of health unless:**
 27 **(1) the patient; or**
 28 **(2) the patient's parent or guardian, if the patient is less than**
 29 **eighteen (18) years of age;**
 30 **has completed and filed with the pharmacist or pharmacist's**
 31 **designee a written immunization data exemption form, as provided**
 32 **in IC 16-38-5-2.**

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