

ASSEMBLY, No. 4832

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED OCTOBER 19, 2020

Sponsored by:

Assemblyman DANIEL R. BENSON

District 14 (Mercer and Middlesex)

Assemblywoman VALERIE VAINIERI HUTTLE

District 37 (Bergen)

Assemblyman ANTHONY S. VERRELLI

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

Assemblyman Caputo

SYNOPSIS

Authorizes pharmacists to administer coronavirus disease 2019 (COVID-19) medications.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/5/2020)

1 AN ACT concerning pharmacists and amending P.L.2003, c.280.

2

3 **BE IT ENACTED** by the Senate and General Assembly of the State
4 of New Jersey:

5

6 1. Section 24 of P.L.2003, c.280 (C.45:14-63) is amended to
7 read as follows:

8 24. a. No pharmacist shall administer a prescription medication
9 directly to a patient without appropriate education or certification,
10 as determined by the board in accordance with the requirements set
11 forth in the rules jointly promulgated by the board and the State
12 Board of Medical Examiners. Such medication shall only be for the
13 treatment of a disease for which a nationally certified program is in
14 effect, or as determined by the board, and only if utilized for the
15 treatment of that disease for which the medication is prescribed or
16 indicated or for which the collaborative drug therapy management
17 permits.

18 b. (1) Notwithstanding any law, rule, or regulation to the
19 contrary, a pharmacist, pharmacy intern, or pharmacy extern may
20 administer drugs to a patient 18 years of age or older, provided the
21 pharmacist, pharmacy intern, or pharmacy extern is appropriately
22 educated and qualified, as determined by the board in accordance
23 with the requirements set forth in the rules jointly promulgated by
24 the board and the State Board of Medical Examiners, and provided
25 the drugs are administered under any one of the following
26 conditions:

27 (a) pursuant to a prescription by an authorized prescriber for a
28 vaccine and related emergency medications;

29 (b) in immunization programs implemented pursuant to an
30 authorized prescriber's standing order for the vaccine and related
31 emergency medications; or

32 (c) in immunization programs and programs sponsored by
33 governmental agencies that are not patient specific.

34 (2) A pharmacist, pharmacy intern, or pharmacy extern may
35 administer an influenza vaccine to a patient who is seven years of
36 age or older. For a patient who is under 18 years of age, a
37 pharmacist, pharmacy intern, or pharmacy extern shall not
38 administer a vaccine except with the permission of the patient's
39 parent or legal guardian. For a patient who is under 10 years of age,
40 a pharmacist, pharmacy intern, or pharmacy extern shall not
41 administer a vaccine unless pursuant to a prescription by an
42 authorized prescriber. Nothing in this subsection shall be construed
43 to require a patient 10 years of age or older to obtain a prescription
44 for an influenza vaccine.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 (3) A pharmacy intern or pharmacy extern, as defined by
2 regulation of the New Jersey State Board of Pharmacy, may
3 administer immunizations to patients by injection or by other
4 delivery method, provided that the pharmacy intern or pharmacy
5 extern is acting under the direct supervision of a licensed
6 pharmacist who is pre-approved by the New Jersey State Board of
7 Pharmacy to administer vaccines and related emergency
8 medications, and who is in compliance with the rules jointly
9 promulgated by the New Jersey State Board of Pharmacy and the
10 State Board of Medical Examiners.

11 (4) A pharmacist, pharmacy intern, or pharmacy extern may
12 administer injectable medications, biological products, or
13 immunizations authorized by the United States Food and Drug
14 Administration for the prevention or treatment of coronavirus
15 disease 2019 (COVID-19), if the administration of the injectable
16 medication, biological product, or immunization is either: (a)
17 consistent with applicable rules, regulations, or guidelines
18 established by the federal Centers for Disease Control and
19 Prevention; or (b) consistent with the United States Food and Drug
20 Administration labeling for the injectable medication, biological
21 product, or immunization.

22 c. An immunization administered to a patient by a pharmacist,
23 pharmacy intern, or pharmacy extern shall be reported by a
24 supervising pharmacist to the New Jersey Immunization
25 Information System established pursuant to section 4 of P.L.2004,
26 c.138 (C.26:4-134) as required pursuant to N.J.A.C.8:57-3.16, for
27 inclusion in the patient's registry.
28 (cf: P.L.2018, c.143, s.1)
29

30 2. This act shall take effect immediately.
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33 STATEMENT

34
35 This bill authorizes pharmacists to administer vaccines against
36 the coronavirus disease 2019 (COVID-19).

37 Under current law, pharmacists, pharmacy interns, and pharmacy
38 externs may generally administer vaccines to patients 18 years of
39 age or older pursuant to an individual prescription for the vaccine, a
40 standing order for the vaccine issued by an authorized prescriber, or
41 an immunization program that is not patient specific. Pharmacists,
42 pharmacy interns, and pharmacy externs may further administer the
43 influenza vaccine to any patient who is 10 years of age or older
44 without a prescription; for patients younger than 18 years of age,
45 the consent of the patient's parent is required, and for patients who
46 are seven years of age or older but younger than 10, a prescription
47 for the vaccine is required.

1 This bill allows pharmacists, pharmacy externs, and pharmacy
2 interns to administer injectable medications, biological products, or
3 immunizations authorized by the United States Food and Drug
4 Administration for the prevention or treatment of coronavirus
5 disease 2019 (COVID-19), if the administration of the injectable
6 medication, biological product, or immunization is either consistent
7 with applicable rules, regulations, or guidelines established by the
8 federal Centers for Disease Control and Prevention, or consistent
9 with the United States Food and Drug Administration labeling for
10 the injectable medication, biological product, or immunization.