

SENATE, No. 3292

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED DECEMBER 16, 2020

Sponsored by:

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

Senator NELLIE POU

District 35 (Bergen and Passaic)

SYNOPSIS

Expands authority of pharmacists to administer vaccines during outbreaks of communicable diseases.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/7/2021)

1 AN ACT concerning pharmacist-administered vaccines and
2 amending P.L.2003, c.280.

3

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

6

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

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

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

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

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

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

35 (2) A pharmacist, pharmacy intern, or pharmacy extern may
36 administer an influenza vaccine to a patient who is seven years of
37 age or older. For a patient who is under 18 years of age, a
38 pharmacist, pharmacy intern, or pharmacy extern shall not
39 administer a vaccine except with the permission of the patient's
40 parent or legal guardian. For a patient who is under 10 years of age,
41 a pharmacist, pharmacy intern, or pharmacy extern shall not
42 administer a vaccine unless pursuant to a prescription by an
43 authorized prescriber. Nothing in this subsection shall be construed
44 to require a patient 10 years of age or older to obtain a prescription
45 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) During an outbreak of a communicable disease occurring
12 among the general public in any area of the State, all pharmacists in
13 the State shall be authorized to administer any available vaccine
14 that the Advisory Committee on Immunization Practices in the
15 federal Centers for Disease Control and Prevention recommends to
16 prevent against that communicable disease, which vaccine may be
17 administered by the pharmacist to any patient, regardless of the
18 patient's age, unless age restrictions have been recommended by the
19 Advisory Committee on Immunization Practices. The pharmacist
20 shall comply with any other restrictions or guidance concerning the
21 vaccine as have been issued by the Advisory Committee on
22 Immunization Practices or the Department of Health. A vaccine
23 administered pursuant to this paragraph may be administered
24 pursuant to an individual prescription for the vaccine, a standing
25 order for the vaccine issued by an authorized prescriber, or an
26 immunization program or other program sponsored by an
27 authorized governmental agency that is not patient specific.

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

35
36 2. This act shall take effect immediately.
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39 STATEMENT

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41 This bill expands the ability of pharmacists to administer certain
42 vaccines.

43 Under current law, pharmacists, pharmacy interns, and pharmacy
44 externs may generally administer vaccines to patients 18 years of
45 age or older pursuant to an individual prescription for the vaccine, a
46 standing order for the vaccine issued by an authorized prescriber, or
47 an immunization program that is not patient specific. Pharmacists,
48 pharmacy interns, and pharmacy externs may further administer the

1 influenza vaccine to any patient who is 10 years of age or older
2 without a prescription; for patients younger than 18 years of age,
3 the consent of the patient's parent is required, and for patients who
4 are seven years of age or older but younger than 10, a prescription
5 for the vaccine is required.

6 Under the bill, during an outbreak of a communicable disease
7 occurring among the general public in any area of the State, all
8 pharmacists in the State will be authorized to administer any
9 available vaccine against the communicable disease that is
10 recommended by the Advisory Committee on Immunization
11 Practices (ACIP) in the federal Centers for Disease Control and
12 Prevention. Pharmacists may administer the vaccine to any patient,
13 regardless of the patient's age, unless age restrictions have been
14 recommended by the ACIP. The pharmacist will also be required to
15 comply with any other restrictions or guidance concerning the
16 vaccine that have been issued by the ACIP or the Department of
17 Health.

18 A vaccine administered under the bill may be administered
19 pursuant to an individual prescription for the vaccine, a standing
20 order for the vaccine issued by an authorized prescriber, or an
21 immunization program or other program sponsored by an
22 authorized governmental agency that is not patient specific.