

By: Perry

S.B. No. 480

A BILL TO BE ENTITLED

AN ACT

relating to the administration of a medication, immunization, or vaccination by a pharmacist.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 554.004, Occupations Code, is amended to read as follows:

Sec. 554.004. ADMINISTRATION OF MEDICATION, IMMUNIZATION, OR VACCINATION.

SECTION 2. Section 554.004(a), Occupations Code, is amended to read as follows:

(a) The board shall specify conditions under which a pharmacist may administer medication, including an immunization or ~~and~~ vaccination. The conditions for the administration of an immunization or vaccination must ensure that:

~~(1) [a licensed health care provider authorized to administer the medication is not reasonably available to administer the medication];~~

~~[(2) failure to administer the medication, other than an immunization or vaccination, might result in a significant delay or interruption of a critical phase of drug therapy];~~

~~[(3)]~~ the pharmacist possesses the necessary skill, education, and certification as specified by the board to administer the immunization or vaccination ~~[medication]~~;

(2) ~~[(4)]~~ within a reasonable time after

1 administering an immunization or vaccination [~~medication~~], the
2 pharmacist notifies the licensed health care provider responsible
3 for the patient's care that the immunization or vaccination
4 [~~medication~~] was administered;

5 (3) [~~(5)~~] the pharmacist may not administer an
6 immunization or vaccination [~~medication~~] to a patient at the
7 patient's residence, except at a licensed nursing home or hospital;

8 (4) [~~(6)~~] the pharmacist administers an immunization
9 or vaccination under a physician's written protocol and meets the
10 standards established by the board; and

11 (5) [~~(7)~~] the authority of a pharmacist to administer
12 an immunization or vaccination [~~medication~~] may not be delegated.

13 SECTION 3. Sections 554.052(a) and (c), Occupations Code,
14 are amended to read as follows:

15 (a) The board by rule shall require a pharmacist to notify a
16 physician who prescribes an immunization or vaccination [~~within 24~~
17 ~~hours~~] after the pharmacist administers the immunization or
18 vaccination. The physician shall prescribe the period for providing
19 notice and the form of the notice in the physician's written
20 protocol. The period for providing notice may not be later than the
21 14th day after the date the immunization or vaccination is
22 administered.

23 (c) Supervision by a physician is adequate if the delegating
24 physician:

25 (1) is responsible for formulating or approving an
26 order or protocol, including the physician's order, standing
27 medical order, or standing delegation order, and periodically

1 reviews the order or protocol and the services provided to a patient
2 under the order or protocol;

3 (2) [~~except as provided by Subsection (c-1),~~] has
4 established a physician-patient relationship with each patient
5 under seven [~~14~~] years of age and referred the patient to the
6 pharmacist;

7 (3) is geographically located to be easily accessible
8 to the pharmacy where an immunization or vaccination is
9 administered;

10 (4) receives, as appropriate, a periodic status report
11 on the patient, including any problem or complication encountered;
12 and

13 (5) is available through direct telecommunication for
14 consultation, assistance, and direction.

15 SECTION 4. Section [554.052\(c-1\)](#), Occupations Code, is
16 repealed.

17 SECTION 5. This Act takes effect September 1, 2015.