

By: Cortez

H.B. No. 678

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

11 (4) [~~(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-1), 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 not later
17 than the 14th day [~~within 24 hours~~] after the date the pharmacist
18 administers the immunization or vaccination.

19 (c-1) A pharmacist may administer an immunization or
20 [~~influenza~~] vaccination to a patient who is at least three [~~over~~
21 ~~seven~~] years of age without an established physician-patient
22 relationship if the immunization or vaccination is:

23 (1) authorized or approved by the United States Food
24 and Drug Administration or listed in the routine immunization
25 schedule recommended by the federal Advisory Committee on
26 Immunization Practices published by the federal Centers for Disease
27 Control and Prevention; and

1 (2) administered in accordance with the federal
2 Advisory Committee on Immunization Practices vaccine-specific
3 recommendations.

4 SECTION 4. This Act takes effect September 1, 2021.