

By: Blanco

S.B. No. 2136

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

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

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

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

15 (1) ~~[a licensed health care provider authorized to~~  
16 ~~administer the medication is not reasonably available to administer~~  
17 ~~the medication,~~

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

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

24 (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.