88R2543 BEE-F

By:  Raney H.B. No. 5129

A BILL TO BE ENTITLED

AN ACT

relating to the delegation to a pharmacy technician of a pharmacist's authority to administer an immunization or vaccine.

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

SECTION 1.  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 and vaccination. The conditions 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 medication;

(4)  within a reasonable time after administering medication, the pharmacist notifies the licensed health care provider responsible for the patient's care that the medication was administered;

(5)  the pharmacist may not administer medication to a patient at the patient's residence, except at a licensed nursing home or hospital;

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

(7)  the authority of a pharmacist to administer an immunization or vaccination [~~medication~~] may [~~not~~] be delegated to a registered pharmacy technician.

SECTION 2.  As soon as practicable after the effective date of this Act, the Texas State Board of Pharmacy shall adopt rules necessary to implement Section 554.004(a), Occupations Code, as amended by this Act.

SECTION 3.  This Act takes effect September 1, 2023.