

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

1 home or hospital;

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

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

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

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