

# SENATE BILL No. 51

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-26-13-31.2.

**Synopsis:** Immunizations provided by pharmacists. Adds the following immunizations to the list of immunizations that pharmacists may administer if certain conditions are met: (1) Measles, mumps, and rubella. (2) Varicella. (3) Hepatitis A. (4) Hepatitis B. (5) Haemophilus influenzae type b (Hib).

**Effective:** July 1, 2017.

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January 3, 2017, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

## SENATE BILL No. 51

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 25-26-13-31.2, AS AMENDED BY P.L.113-2013,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2017]: Sec. 31.2. (a) A pharmacist may administer an  
4 immunization to an individual under a drug order or prescription.  
5 (b) Subject to subsection (c), a pharmacist may administer  
6 immunizations for the following to a group of individuals under a drug  
7 order, under a prescription, or according to a protocol approved by a  
8 physician:  
9 (1) Influenza.  
10 (2) Shingles (herpes zoster).  
11 (3) Pneumonia.  
12 (4) Tetanus, diphtheria, and acellular pertussis (whooping cough).  
13 (5) Human papillomavirus (HPV) infection.  
14 (6) Meningitis.  
15 (7) **Measles, mumps, and rubella.**  
16 (8) **Varicella.**  
17 (9) **Hepatitis A.**



- 1           **(10) Hepatitis B.**  
 2           **(11) Haemophilus influenzae type b (Hib).**  
 3           (c) A pharmacist may administer an immunization under subsection  
 4           (b) if the following requirements are met:  
 5               (1) The physician specifies in the drug order, prescription, or  
 6               protocol the group of individuals to whom the immunization may  
 7               be administered.  
 8               (2) The physician who writes the drug order, prescription, or  
 9               protocol is licensed and actively practicing with a medical office  
 10              in Indiana and not employed by a pharmacy.  
 11              (3) The pharmacist who administers the immunization is  
 12              responsible for notifying, not later than fourteen (14) days after  
 13              the pharmacist administers the immunization, the physician who  
 14              authorized the immunization and the individual's primary care  
 15              physician that the individual received the immunization.  
 16              (4) If the physician uses a protocol, the protocol may apply only  
 17              to an individual or group of individuals who:  
 18                  (A) except as provided in clause (B), are at least eleven (11)  
 19                  years of age; or  
 20                  (B) for the pneumonia immunization under subsection (b)(3),  
 21                  are at least sixty-five (65) years of age.  
 22              (5) Before administering an immunization to an individual  
 23              according to a protocol approved by a physician, the pharmacist  
 24              must receive the consent of one (1) of the following:  
 25                  (A) If the individual to whom the immunization is to be  
 26                  administered is at least eleven (11) years of age but less than  
 27                  eighteen (18) years of age, the parent or legal guardian of the  
 28                  individual.  
 29                  (B) If the individual to whom the immunization is to be  
 30                  administered is at least eighteen (18) years of age but has a  
 31                  legal guardian, the legal guardian of the individual.  
 32                  (C) If the individual to whom the immunization is to be  
 33                  administered is at least eighteen (18) years of age but has no  
 34                  legal guardian, the individual.  
 35              A parent or legal guardian who is required to give consent under  
 36              this subdivision must be present at the time of immunization.  
 37              (d) If the state department of health or the department of homeland  
 38              security determines that an emergency exists, a pharmacist may  
 39              administer any immunization in accordance with:  
 40                  (1) the requirements of subsection (c)(1) through (c)(3); and  
 41                  (2) any instructions in the emergency determination.  
 42              (e) A pharmacist or pharmacist's designee shall provide



1 immunization data to the immunization data registry (IC 16-38-5) in a  
2 manner prescribed by the state department of health unless:  
3 (1) the individual receiving the immunization;  
4 (2) the parent of the individual receiving the immunization, if the  
5 individual receiving the immunization is less than eighteen (18)  
6 years of age; or  
7 (3) the legal guardian of the individual receiving the  
8 immunization, if a legal guardian has been appointed;  
9 has completed and filed with the pharmacist or pharmacist's designee  
10 a written immunization data exemption form, as provided in  
11 IC 16-38-5-2.  
12 (f) If an immunization is administered under a protocol, then the  
13 name, license number, and contact information of the physician who  
14 wrote the protocol must be posted in the location where the  
15 immunization is administered. A copy of the protocol must be available  
16 for inspection by the individual receiving the immunization.

