



January 24, 2017

SENATE BILL No. 51

DIGEST OF SB 51 (Updated January 18, 2017 11:19 am - DI 84)

Citations Affected: IC 25-26.

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.

Grooms, Charbonneau

January 3, 2017, read first time and referred to Committee on Health and Provider Services.
January 23, 2017, reported favorably — Do Pass.

SB 51—LS 6250/DI 104



January 24, 2017

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.**

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- 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.



COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 51, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 51 as introduced.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 11, Nays 1

