

As Reported by the Senate Health Committee

135th General Assembly

Regular Session

2023-2024

S. B. No. 144

Senator Romanchuk

A BILL

To amend section 4729.41 of the Revised Code 1
regarding immunizations administered by 2
pharmacists, pharmacy interns, and pharmacy 3
technicians. 4

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 4729.41 of the Revised Code be 5
amended to read as follows: 6

Sec. 4729.41. (A) (1) A pharmacist licensed under this 7
chapter who meets the requirements of division (B) of this 8
section, ~~and~~ a pharmacy intern licensed under this chapter who 9
meets the requirements of division (B) of this section and is 10
working under the direct supervision of a pharmacist who meets 11
the requirements of that division, and a certified pharmacy 12
technician or a registered pharmacy technician who meets the 13
requirements of division (B) of this section and is working 14
under the direct supervision of a pharmacist who meets the 15
requirements of that division, may do any of the following: 16

~~(a) In the case of administer to an individual who is 17
seven five years of age or older ~~but not more than thirteen~~ 18
years of age, ~~administer to the individual an immunization for~~ 19~~

any of the following:	20
(i) Influenza;	21
(ii) COVID-19;	22
(iii) Any other disease, but only pursuant to a prescription.	23 24
(b) In the case of an individual who is thirteen years of age or older, administer to the individual an immunization for any disease, including an immunization for influenza or COVID- 19.	25 26 27 28
(2) As part of engaging in the administration of immunizations or supervising a pharmacy intern's, <u>certified pharmacy technician's, or registered pharmacy technician's</u> administration of immunizations, a pharmacist may administer epinephrine or diphenhydramine, or both, to individuals in emergency situations resulting from adverse reactions to the immunizations administered by the pharmacist or , <u>pharmacy intern, certified pharmacy technician, or registered pharmacy technician.</u>	29 30 31 32 33 34 35 36 37
(B) For a pharmacist or , <u>pharmacy intern, certified pharmacy technician, or registered pharmacy technician</u> to be authorized to engage in the administration of immunizations, the pharmacist or , <u>pharmacy intern, certified pharmacy technician, or registered pharmacy technician</u> shall do all of the following:	38 39 40 41 42
(1) Successfully complete a course in the administration of immunizations that meets the requirements established in rules adopted under this section for such courses;	43 44 45
(2) Receive and maintain certification to perform basic life-support procedures by successfully completing a basic life-	46 47

support training course that is certified by the American red 48
cross or American heart association or approved by the state 49
board of pharmacy; 50

(3) Practice in accordance with a protocol that meets the 51
requirements of division (C) of this section. 52

(C) All of the following apply with respect to the 53
protocol required by division (B) (3) of this section: 54

(1) The protocol shall be established by a physician 55
authorized under Chapter 4731. of the Revised Code to practice 56
medicine and surgery or osteopathic medicine and surgery. 57

(2) The protocol shall specify a definitive set of 58
treatment guidelines and the locations at which a pharmacist ~~or~~ 59
, pharmacy intern, certified pharmacy technician, or registered 60
pharmacy technician may engage in the administration of 61
immunizations. 62

(3) The protocol shall satisfy the requirements 63
established in rules adopted under this section for protocols. 64

(4) The protocol shall include provisions for 65
implementation of the following requirements: 66

(a) The pharmacist ~~or~~ , pharmacy intern, certified 67
pharmacy technician, or registered pharmacy technician who 68
administers an immunization shall observe the individual who 69
receives the immunization to determine whether the individual 70
has an adverse reaction to the immunization. The length of time 71
and location of the observation shall comply with the rules 72
adopted under this section establishing requirements for 73
protocols. The protocol shall specify procedures to be followed 74
by a pharmacist when administering epinephrine ~~or~~ 75
diphenhydramine, or both, to an individual who has an adverse 76

reaction to an immunization administered by the pharmacist or by 77
a pharmacy intern, certified pharmacy technician, or registered 78
pharmacy technician. 79

(b) For each immunization administered to an individual by 80
a pharmacist ~~or~~, pharmacy intern, certified pharmacy 81
technician, or registered pharmacy technician, other than an 82
immunization for influenza administered to an individual 83
eighteen years of age or older, the pharmacist ~~or~~, pharmacy 84
intern, certified pharmacy technician, or registered pharmacy 85
technician shall notify the individual's primary care provider 86
or, if the individual has no primary care provider, the board of 87
health of the health district in which the individual resides or 88
the authority having the duties of a board of health for that 89
district under section 3709.05 of the Revised Code. The notice 90
shall be given not later than thirty days after the immunization 91
is administered. 92

(c) For each immunization administered by a pharmacist ~~or~~ 93
, pharmacy intern, certified pharmacy technician, or registered 94
pharmacy technician to an individual younger than eighteen years 95
of age, the pharmacist ~~or~~, a pharmacy intern, certified 96
pharmacy technician, or registered pharmacy technician shall 97
obtain permission from the individual's parent or legal guardian 98
in accordance with the procedures specified in rules adopted 99
under this section. 100

(d) For each immunization administered by a pharmacist, 101
pharmacy intern, certified pharmacy technician, or registered 102
pharmacy technician to an individual who is younger than 103
eighteen years of age, the pharmacist, pharmacy intern, 104
certified pharmacy technician, or registered pharmacy technician 105
shall inform the individual's parent or legal guardian of the 106

importance of well child visits with a pediatrician or other 107
primary care provider and shall refer patients when appropriate. 108

(D) (1) No pharmacist shall do either of the following: 109

(a) Engage in the administration of immunizations unless 110
the requirements of division (B) of this section have been met; 111

(b) Delegate to any person the pharmacist's authority to 112
engage in or supervise the administration of immunizations. 113

(2) No pharmacy intern shall engage in the administration 114
of immunizations unless the requirements of division (B) of this 115
section have been met. 116

(3) No certified pharmacy technician or registered 117
pharmacy technician shall engage in the administration of 118
immunizations unless the requirements of division (B) of this 119
section have been met. 120

(E) (1) The state board of pharmacy shall adopt rules to 121
implement this section. The rules shall be adopted in accordance 122
with Chapter 119. of the Revised Code and shall include the 123
following: 124

(a) Requirements for courses in administration of 125
immunizations, including requirements that are consistent with 126
any standards established for such courses by the centers for 127
disease control and prevention; 128

(b) Requirements for protocols to be followed by 129
~~pharmacists and,~~ pharmacy interns, certified pharmacy 130
technicians, and registered pharmacy technicians in engaging in 131
the administration of immunizations; 132

(c) Procedures to be followed by ~~pharmacists and,~~ 133
pharmacy interns, certified pharmacy technicians, and registered 134

pharmacy technicians in obtaining from the individual's parent 135
or legal guardian permission to administer immunizations to an 136
individual younger than eighteen years of age. 137

(2) Prior to adopting rules regarding requirements for 138
protocols to be followed by pharmacists ~~and~~, pharmacy interns, 139
certified pharmacy technicians, and registered pharmacy 140
technicians in engaging in the administration of immunizations, 141
the state board of pharmacy shall consult with the state medical 142
board and the board of nursing. 143

Section 2. That existing section 4729.41 of the Revised 144
Code is hereby repealed. 145