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green underline denotes added text
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Act 406 of the Regular Session

State of Arkansas

As Engrossed: H2/25/21 H3/8/21

93rd General Assembly

A Bill

Regular Session, 2021

HOUSE BILL 1134

By: Representative Boyd

By: Senator Gilmore

For An Act To Be Entitled

AN ACT TO AMEND THE DEFINITION OF "PRACTICE OF PHARMACY" TO ALLOW PHARMACISTS TO PRESCRIBE, ADMINISTER, DELIVER, DISTRIBUTE, OR DISPENSE VACCINES, IMMUNIZATIONS, AND MEDICATIONS TO TREAT ADVERSE REACTIONS TO ADMINISTERED VACCINES OR IMMUNIZATIONS TO A PERSON WHO IS THREE (3) YEARS OF AGE OR OLDER; AND FOR OTHER PURPOSES.

Subtitle

TO ALLOW PHARMACISTS TO PRESCRIBE, ADMINISTER, DELIVER, DISTRIBUTE, OR DISPENSE VACCINES, IMMUNIZATIONS, AND MEDICATIONS TO TREAT ADVERSE REACTIONS TO ADMINISTERED VACCINES.

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

SECTION 1. Arkansas Code § 17-92-101(17)(A)(i), concerning the definition of "practice of pharmacy", is amended to read as follows:

(i)(a) Dispensing, selling, distributing, transferring possession of, vending, bartering, or, in accordance with rules adopted by the Arkansas State Board of Pharmacy, administering drugs, medicines, poisons, or chemicals that under the laws of the United States or the State of Arkansas may be sold or dispensed only on the prescription and order of a practitioner authorized by law to prescribe drugs, medicines, poisons, or chemicals.

(b) Except as limited by rules adopted by the Arkansas State Board of Pharmacy, a pharmacist has the ability to administer medications.

~~(c) Influenza vaccines and influenza immunizations may be administered to a person seven (7) years of age or older under a general written protocol.~~

~~(d) Vaccines and immunizations other than influenza vaccines and influenza immunizations may be administered to a person from seven (7) years of age to eighteen (18) years of age under a general written protocol and subject to reporting required under § 20-15-1203 if written consent of the parent or legal guardian of the minor is obtained before the administration of the vaccine or immunization.~~

~~(e) Vaccines and immunizations other than influenza vaccines and influenza immunizations may be administered to a person eighteen (18) years of age or older under a general written protocol.~~

~~(f) Medications other than vaccines and immunizations may be administered to a person seven (7) years of age or older under a patient specific order or prescription and subject to reporting of the administration to the prescribing physician.~~

(c) A pharmacist may prescribe, administer, deliver, distribute, or dispense medications that treat adverse reactions associated with the administration of vaccines and immunizations, vaccines, and immunizations to or for a person three (3) years of age or older.

(d) A pharmacist who prescribes and administers vaccines and immunizations other than for influenza or coronavirus 2019 (COVID-19) to a person who is three (3) years of age to six (6) years of age shall:

(1) Participate in the federal Vaccines for Children Program; and

(2) Inform the person who is three (3) years of age to six (6) years of age and adult caregivers accompanying the person who is three (3) years of age to six (6) years of age of the importance of a well-child visit with a pediatrician or other licensed primary care provider and recommend a well-child visit at least yearly.

(e)(1) A pharmacist may administer medications other than medications that treat adverse reactions associated with the administration of vaccines and immunizations, vaccines, and immunizations under a patient-specific order or prescription or general written protocol.

(2) The administration of the medication under subdivision *(17)(A)(i)(e)(1)* of this section is subject to reporting to the prescribing physician, if applicable.

~~*(g)*~~ *(f)* A general written protocol ~~under subdivisions (17)(A)(i)(c) and (e) of this section~~ and patient-specific orders or prescriptions under ~~subdivisions (17)(A)(i)(d) and (f)~~ subdivision *(17)(A)(i)(e)* of this section shall be from a physician licensed by the Arkansas State Medical Board and practicing in Arkansas or within fifty (50) miles of the Arkansas border.

~~*(h)*~~ *(g)* Under a statewide protocol, a pharmacist may initiate therapy and administer or dispense, or both, drugs that include Naloxone and nicotine replacement therapy products;

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