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LAW/RWH

P.L.2013, CHAPTER 254, *approved January 17, 2014*  
Assembly, No. 3251 (*Fourth Reprint*)

1 AN ACT concerning administration of vaccines by pharmacists and  
2 amending P.L.2003, c.280.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 24 of P.L.2003, c.280 (C.45:14-63) is amended to  
8 read as follows:

9 24. a. No pharmacist shall administer a prescription medication  
10 directly to a patient without appropriate education or certification,  
11 as determined by the board in accordance with the requirements set  
12 forth in the rules jointly promulgated by the board and the State  
13 Board of Medical Examiners. Such medication shall only be for the  
14 treatment of a disease for which a nationally certified program is in  
15 effect, or as determined by the board, and only if utilized for the  
16 treatment of that disease for which the medication is prescribed or  
17 indicated or for which the collaborative drug therapy management  
18 permits.

19 b. <sup>2</sup>(1)<sup>2</sup> Notwithstanding any law, rule, or regulation to the  
20 contrary, **[other than for pediatric immunizations,]** a pharmacist  
21 may administer drugs to a patient <sup>1</sup>[14] <sup>3</sup>[12<sup>1</sup>] <sup>4</sup>[seven<sup>3</sup>] 18<sup>4</sup> years  
22 of age or older <sup>3</sup>, provided the pharmacist is appropriately educated  
23 and qualified, as determined by the board in accordance with the  
24 requirements set forth in the rules jointly promulgated by the board  
25 and the State Board of Medical Examiners, and provided the drugs  
26 are administered under any one of the following conditions:

27 (a)<sup>3</sup> pursuant to a prescription by <sup>3</sup>[a New Jersey licensed  
28 physician] an authorized prescriber<sup>3</sup> for a vaccine and related  
29 emergency medications <sup>3</sup>[.];

30 (b)<sup>3</sup> in immunization programs implemented pursuant to <sup>3</sup>[a  
31 New Jersey licensed physician's] an authorized prescriber's<sup>3</sup>  
32 standing order for the vaccine and related emergency medications  
33 <sup>3</sup>[.]; or

34 (c)<sup>3</sup> in immunization programs and programs sponsored by  
35 governmental agencies that are not patient specific <sup>3</sup>[, provided the  
36 pharmacist is appropriately educated and qualified, as determined  
37 by the board in accordance with the requirements set forth in the

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

**Matter underlined thus** is new matter.

**Matter enclosed in superscript numerals** has been adopted as follows:

<sup>1</sup>Assembly AHE committee amendments adopted February 7, 2013.

<sup>2</sup>Assembly floor amendments adopted June 20, 2013.

<sup>3</sup>Assembly floor amendments adopted June 27, 2013.

<sup>4</sup>Assembly floor amendments adopted January 6, 2014.

1 rules jointly promulgated by the board and the State Board of  
2 Medical Examiners<sup>3</sup>.

3 <sup>2</sup>(2) <sup>4</sup>A pharmacist shall not administer a vaccine to a patient  
4 <sup>3</sup>[18] 17<sup>3</sup> years of age or younger, except an influenza vaccine. A  
5 pharmacist who administers an influenza vaccine to a patient <sup>3</sup>[18]  
6 17<sup>3</sup> years of age or younger shall document the name and address of  
7 the patient's primary care provider <sup>3</sup>, if possible<sup>3</sup> .<sup>2</sup> <sup>1</sup>A pharmacist  
8 shall report to the New Jersey Immunization Information System,  
9 established pursuant to P.L.2004, c.138 (C.26:4-131 et seq.), <sup>2</sup>and  
10 to the patient's primary care provider,<sup>2</sup> <sup>3</sup>if possible,<sup>3</sup> the  
11 administration of a vaccine to a child <sup>3</sup>[18] 17<sup>3</sup> years of age or  
12 younger within 30 days of the administration.<sup>1</sup>

13 <sup>3</sup>c. Nothing in this section shall be construed to require that a  
14 patient obtain a prescription for an influenza vaccine.<sup>3</sup>]

15 A pharmacist may administer an influenza vaccine to a patient  
16 who is seven years of age or older. For a patient who is under 18  
17 years of age, a pharmacist shall not administer a vaccine except  
18 with the permission of the patient's parent or legal guardian. For a  
19 patient who is under 12 years of age, a pharmacist shall not  
20 administer a vaccine unless pursuant to a prescription by an  
21 authorized prescriber. Nothing in this subsection shall be construed  
22 to require a patient 12 years of age or older to obtain a prescription  
23 for an influenza vaccine.<sup>4</sup>

24 (cf: P.L.2003, c.280, s.24)

25  
26 <sup>3</sup><sup>2</sup>2. The Department of Health shall conduct a study of the  
27 impact of permitting pharmacists to administer influenza  
28 vaccinations on the total number of influenza vaccinations  
29 administered to children, and on the number of visits by children to  
30 pediatricians. In order to gather information for this study, the  
31 Department of Health may survey pharmacists who have  
32 administered influenza vaccinations to children, and the primary  
33 care providers documented by pharmacists, pursuant to paragraph  
34 (2) of subsection b. of section 24 of P.L.2003, c.280 (C.45:14-63).  
35 No later than 18 months after the effective date of this act, the  
36 Department of Health shall report to the Governor, and to the  
37 Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1),  
38 on the study's findings.<sup>2</sup>]<sup>3</sup>

39  
40 <sup>2</sup>[2.] <sup>3</sup>[3.2] 2.<sup>3</sup> This act shall take effect on the first day of the  
41 fourth month next following the date of enactment, except that the  
42 New Jersey State Board of Pharmacy and the State Board of  
43 Medical Examiners may take such anticipatory administrative  
44 action in advance thereof as may be necessary for the  
45 implementation of this act. <sup>3</sup><sup>2</sup>Section 2 of this act shall expire

1 upon the submission by the Department of Health of its report to the  
2 Governor and the Legislature.<sup>2</sup>】<sup>3</sup>

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6

7 Permits pharmacists to administer influenza vaccines to children  
8 seven years of age or older.

# ASSEMBLY, No. 3251

## STATE OF NEW JERSEY

### 215th LEGISLATURE

INTRODUCED SEPTEMBER 27, 2012

**Sponsored by:**

**Assemblyman RUBEN J. RAMOS, JR.**

**District 33 (Hudson)**

**Assemblyman DECLAN J. O'SCANLON, JR.**

**District 13 (Monmouth)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**SYNOPSIS**

Permits pharmacists to administer vaccines to children 14 years of age or older.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 2/8/2013)

1 AN ACT concerning administration of vaccines by pharmacists and  
2 amending P.L.2003, c.280.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 24 of P.L.2003, c.280 (C.45:14-63) is amended to  
8 read as follows:

9 24. a. No pharmacist shall administer a prescription medication  
10 directly to a patient without appropriate education or certification,  
11 as determined by the board in accordance with the requirements set  
12 forth in the rules jointly promulgated by the board and the State  
13 Board of Medical Examiners. Such medication shall only be for the  
14 treatment of a disease for which a nationally certified program is in  
15 effect, or as determined by the board, and only if utilized for the  
16 treatment of that disease for which the medication is prescribed or  
17 indicated or for which the collaborative drug therapy management  
18 permits.

19 b. Notwithstanding any law, rule, or regulation to the contrary,  
20 **[other than for pediatric immunizations,]** a pharmacist may  
21 administer drugs to a patient 14 years of age or older pursuant to a  
22 prescription by a New Jersey licensed physician for a vaccine and  
23 related emergency medications, in immunization programs  
24 implemented pursuant to a New Jersey licensed physician's  
25 standing order for the vaccine and related emergency medications,  
26 or in immunization programs and programs sponsored by  
27 governmental agencies that are not patient specific, provided the  
28 pharmacist is appropriately educated and qualified, as determined  
29 by the board in accordance with the requirements set forth in the  
30 rules jointly promulgated by the board and the State Board of  
31 Medical Examiners.

32 (cf: P.L.2003, c.280, s.24)

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34 2. This act shall take effect on the first day of the fourth month  
35 next following the date of enactment, except that the New Jersey  
36 State Board of Pharmacy and the State Board of Medical Examiners  
37 may take such anticipatory administrative action in advance thereof  
38 as may be necessary for the implementation of this act.

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#### STATEMENT

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43 This bill permits pharmacists to administer pediatric vaccines to  
44 children who are 14 years of age and older. Current law permits

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 pharmacists to administer vaccines only to patients who are 18  
2 years of age and older.

3 The bill also amends statutory language to conform to  
4 regulations permitting a pharmacist to administer vaccines and  
5 related emergency medications pursuant to a physician's  
6 prescription, in immunization programs implemented pursuant to a  
7 physician's standing order, or in government-sponsored  
8 immunization programs that are not patient specific. This bill does  
9 not alter the education, documentation, and other requirements  
10 promulgated by the New Jersey State Board of Pharmacy and the  
11 State Board of Medical Examiners, which must be met for a  
12 pharmacist to administer vaccines directly to patients. Existing  
13 statutory language permits the two boards to jointly issue rules that  
14 would impose additional requirements for a pharmacist to be  
15 permitted to administer a vaccine to a minor.



# ASSEMBLY HEALTH AND SENIOR SERVICES COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 3251**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: FEBRUARY 7, 2013

The Assembly Health and Senior Services Committee reports favorably and with amendments Assembly Bill No. 3251.

As amended, the bill permits pharmacists to administer pediatric vaccines to children who are 12 years of age and older. Current law permits pharmacists to administer vaccines only to patients who are 18 years of age and older. The bill requires a pharmacist to report the administration of an immunization to a child 18 years of age or younger to the New Jersey Immunization Information System within 30 days.

The bill also amends statutory language to conform to regulations permitting a pharmacist to administer vaccines and related emergency medications pursuant to a physician's prescription, in immunization programs implemented pursuant to a physician's standing order, or in government-sponsored immunization programs that are not patient specific. The bill does not alter the education, documentation, and other requirements promulgated by the New Jersey State Board of Pharmacy and the State Board of Medical Examiners, which must be met for a pharmacist to administer vaccines directly to patients. Current law permits the two boards to jointly issue rules that would impose additional requirements for a pharmacist to be permitted to administer a vaccine to a minor.

The bill takes effect on the first day of the fourth month next following the date of enactment, except that the New Jersey State Board of Pharmacy and the State Board of Medical Examiners may take such anticipatory administrative action in advance thereof as may be necessary for its implementation.

#### COMMITTEE AMENDMENTS

The committee amended the bill to reduce the minimum age of a child to receive a pharmacist-administered immunization from 14 to 12 years. The amendments also require a pharmacist who administers a vaccine to a child to report it to the New Jersey Immunization Information System within 30 days.

STATEMENT TO  
[First Reprint]  
**ASSEMBLY, No. 3251**

with Assembly Floor Amendments  
(Proposed by Assemblyman CONAWAY)

ADOPTED: JUNE 20, 2013

These amendments limit pharmacists' ability to administer vaccines to children 18 years of age and younger to the influenza vaccine. The amendments also require a pharmacist who administers a vaccine to a child to document the name and address of the patient's primary care provider, and report the administration of the vaccine to the primary care provider within 30 days.

The amendments further require the Department of Health to study the impact of permitting pharmacists to administer influenza vaccinations on the total number influenza vaccinations administered to children, and on the number of visits by children to pediatricians. The Department of Health would be permitted to survey pharmacists who have administered influenza vaccinations to children, and the primary care providers documented by pharmacists. The Department of Health would be required to report its findings to the Governor and the Legislature no later than 18 months after the effective date of the bill.

STATEMENT TO  
[Second Reprint]  
**ASSEMBLY, No. 3251**

with Assembly Floor Amendments  
(Proposed by Assemblyman RAMOS)

ADOPTED: JUNE 27, 2013

These amendments change the minimum age of a child who may receive an influenza vaccine administered by a pharmacist from 12 years to seven years. The amendments also change the minimum age of an adult who may receive immunizations other than an influenza vaccine administered by a pharmacist from 19 years to 18 years, in concurrence with current regulations.

The amendments clarify that authorized prescribers other than physicians may also prescribe drugs to be administered by pharmacists, and that the bill would not require a prescription for an influenza vaccine. The amendments also clarify that a pharmacist is only required to document a patient's primary care provider and report the administration of a vaccine to the primary care provider if it is possible to do so.

Finally, the amendments eliminate the requirement that the Department of Health conduct a study of the impact of permitting pharmacists to administer influenza vaccinations on the total number of influenza vaccinations administered to children, and on the number of visits by children to pediatricians.

STATEMENT TO  
[Third Reprint]  
**ASSEMBLY, No. 3251**

with Assembly Floor Amendments  
(Proposed by Assemblyman RAMOS)

ADOPTED: JANUARY 6, 2014

These amendments make several changes to the conditions under which a pharmacist would be permitted to administer an influenza vaccine to a minor patient. The amended bill would not require a pharmacist who administers a pediatric vaccination to document the name and address of the patient's primary care provider, or report the vaccination to the New Jersey Immunization Information System or the patient's primary care provider.

For a patient under 18 years of age, a parent or guardian's permission would be required for the patient to receive a pharmacist-administered influenza vaccination. For a patient under 12 years of age, a prescription from an authorized prescriber would be required for the patient to receive a pharmacist-administered influenza vaccination.

# SENATE, No. 2567

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 21, 2013

**Sponsored by:**

**Senator JOSEPH F. VITALE**

**District 19 (Middlesex)**

**Senator ROBERT W. SINGER**

**District 30 (Monmouth and Ocean)**

**Co-Sponsored by:**

**Senators Gill, Weinberg, A.R.Bucco and Oroho**

**SYNOPSIS**

Permits pharmacists to administer vaccines to children 14 years of age or older.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/14/2013)**

1 AN ACT concerning administration of vaccines by pharmacists and  
2 amending P.L.2003, c.280.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 24 of P.L.2003, c.280 (C.45:14-63) is amended to  
8 read as follows:

9 24. a. No pharmacist shall administer a prescription medication  
10 directly to a patient without appropriate education or certification,  
11 as determined by the board in accordance with the requirements set  
12 forth in the rules jointly promulgated by the board and the State  
13 Board of Medical Examiners. Such medication shall only be for the  
14 treatment of a disease for which a nationally certified program is in  
15 effect, or as determined by the board, and only if utilized for the  
16 treatment of that disease for which the medication is prescribed or  
17 indicated or for which the collaborative drug therapy management  
18 permits.

19 b. Notwithstanding any law, rule, or regulation to the contrary,  
20 **[other than for pediatric immunizations,]** a pharmacist may  
21 administer drugs to a patient 14 years of age or older pursuant to a  
22 prescription by a New Jersey licensed physician for a vaccine and  
23 related emergency medications, in immunization programs  
24 implemented pursuant to a New Jersey licensed physician's  
25 standing order for the vaccine and related emergency medications,  
26 or in immunization programs and programs sponsored by  
27 governmental agencies that are not patient specific, provided the  
28 pharmacist is appropriately educated and qualified, as determined  
29 by the board in accordance with the requirements set forth in the  
30 rules jointly promulgated by the board and the State Board of  
31 Medical Examiners.

32 (cf: P.L.2003, c.280, s.24)

33

34 2. This act shall take effect on the first day of the fourth month  
35 next following the date of enactment, except that the New Jersey  
36 State Board of Pharmacy and the State Board of Medical Examiners  
37 may take such anticipatory administrative action in advance thereof  
38 as may be necessary for the implementation of this act.

39

40

41

#### STATEMENT

42

43 This bill permits pharmacists to administer pediatric vaccines to  
44 children who are 14 years of age and older. Current law permits

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

**S2567 VITALE, SINGER**

1 pharmacists to administer vaccines only to patients who are 18  
2 years of age and older.

3 The bill also amends statutory language to conform to  
4 regulations permitting a pharmacist to administer vaccines and  
5 related emergency medications pursuant to a physician's  
6 prescription, in immunization programs implemented pursuant to a  
7 physician's standing order, or in government-sponsored  
8 immunization programs that are not patient specific. This bill does  
9 not alter the education, documentation, and other requirements  
10 promulgated by the New Jersey State Board of Pharmacy and the  
11 State Board of Medical Examiners, which must be met for a  
12 pharmacist to administer vaccines directly to patients. Existing  
13 statutory language permits the two boards to jointly issue rules that  
14 would impose additional requirements for a pharmacist to be  
15 permitted to administer a vaccine to a minor.

SENATE HEALTH, HUMAN SERVICES AND SENIOR  
CITIZENS COMMITTEE

STATEMENT TO

**SENATE, No. 2567**

with committee amendments

**STATE OF NEW JERSEY**

DATED: DECEMBER 12, 2013

The Senate Health, Human Services, and Senior Citizens Committee reports favorably and with amendments Senate Bill No. 2567.

As amended, the bill permits pharmacists to administer influenza vaccinations to patients seven years of age and older. For patients under 19 years of age, permission from a parent or guardian would be required. In addition, for patients under 12 years of age, a pharmacist-administered vaccine would require a prescription from an authorized prescriber. Current law permits pharmacists to administer vaccines only to patients who are 18 years of age and older.

The amended bill also alters statutory language to conform to regulations permitting a pharmacist to administer vaccines and related emergency medications to a patient 18 years of age or older pursuant to a physician's prescription, in immunization programs implemented pursuant to a physician's standing order, or in government-sponsored immunization programs that are not patient specific. The bill does not alter the education, documentation, and other requirements promulgated by the New Jersey State Board of Pharmacy and the State Board of Medical Examiners, which must be met for a pharmacist to administer vaccines directly to patients. Current law permits the two boards to jointly issue rules that would impose additional requirements for a pharmacist to be permitted to administer a vaccine to a minor.

The committee amended the bill to: (1) reduce the minimum age of a patient who may receive a pharmacist-administered flu vaccine from 14 to seven years; (2) restrict the type of pediatric vaccinations that a pharmacist may administer to flu vaccines; (3) require a parent's permission for pediatric vaccinations; (4) require that a child between the ages of seven and 12 years obtain a prescription from a New Jersey licensed health care professional in order to receive a pharmacist-administered vaccination; (5) clarify that a prescriber may issue a renewing prescription for an influenza vaccine that would authorize a pharmacist to administer the vaccine again upon expiration of the original vaccine, without requiring a separate prescription; and (6)



amend statutory language to conform to regulations permitting a pharmacist to administer vaccines and related emergency medications to a patient 18 years of age or older pursuant to a physician's prescription, in immunization programs implemented pursuant to a physician's standing order, or in government-sponsored immunization programs that are not patient specific.

STATEMENT TO  
[First Reprint]  
**SENATE, No. 2567**

with Senate Floor Amendments  
(Proposed by Senator VITALE)

ADOPTED: DECEMBER 19, 2013

These amendments would allow an individual who is 18 years old to receive an influenza vaccination without parental consent. The amendments correct an error in the previous version of the bill that would have required an 18-year-old to obtain parental consent for an influenza vaccine, contrary to current law.

The amendments also remove a provision that would have allowed a pharmacist to issue a renewing prescription for an influenza vaccine that would authorize a pharmacist to administer the vaccine again upon expiration of the original vaccine, without requiring a separate prescription.