

**Readopt with amendment Ph 1301, effective 9/18/2012 (Document #10185), cited and to read as follows:**

CHAPTER Ph 1300 [PHARMACIST] ADMINISTRATION OF VACCINES

PART Ph 1301 PURPOSE AND SCOPE

Ph 1301.01 Purpose. The purpose of this chapter is to implement and regulate [pharmacist] administration of vaccines **by pharmacy personnel** as a means to make vaccinations more easily accessible and therefore providing immunity to a larger patient population.

Ph 1301.02 Scope. These rules shall regulate [pharmacist] administration of vaccines where the practice of pharmacy is permitted.

**Readopt with amendment Ph 1302.01, effective 9/18/2012 (Document #10185), to read as follows:**

Ph 1302.01 “Administer” means “administer” as defined in RSA 318:1, I, namely, “an act whereby a single dose of a drug is instilled into the body of, applied to the body of, or otherwise given to a person or animal for immediate consumption or use.”

**Adopt Ph 1302.02 and renumber 1302.02 as Ph 1302.03, to read as follows:**

**Ph 1302.02 “Certified pharmacy technician” means a pharmacy technician who has become and who maintains national certification by taking and passing an exam recognized by the board for the purpose of certifying technicians and who has been certified by the board.**

**Renumber Ph 1302.03 as Ph 1302.05**

**Adopt Ph 1302.04 and renumber Ph 1302.03 as Ph 1302.05, to read as follows:**

**Ph 1302.04 “Pharmacy intern” means “pharmacy intern” as defined in RSA 318:1, XI-aa, namely, “a person who is registered by the board pursuant to RSA 318:15-b and:**

**(a) Is enrolled in a professional degree program of a school or college of pharmacy that has been approved by the board and is satisfactorily progressing toward meeting the requirements for licensure as a pharmacist starting no earlier than 4 months prior to the third year of study; or**

**(b) Is a graduate of an approved professional degree program of a school or college of pharmacy or is a graduate who has established educational equivalency by obtaining a Foreign Pharmacy Graduate Examination Committee (FPGEC) Certificate, who is currently licensed by the board of pharmacy for the purpose of obtaining practical experience as a requirement for licensure as a pharmacist; or**

**(c) Is a qualified applicant awaiting examination for licensure or meeting board requirements for re-licensure; or**

(d) Is participating in a residency or fellowship program.

**Commented [MOU1]:** Delete the 2<sup>nd</sup> period

Ph 1302.06 “Pharmacy Personnel” means a pharmacist, pharmacy intern, licensed advance pharmacy technician, or a certified pharmacy technician as authorized by RSE 318:16-b who seeks to engage in the administration of vaccines.

**Commented [MOU2]:** Added per Kathy Bizarro-Thunberg’s written proposal shared at the 8/17 NHBOP meeting

Ph 1302.07 “Licensed Advanced Practice Technician” (LAPT) means a person licensed by the board who:

**Commented [MOU3]:** Need to adjust definitions to flow alphabetically

- (a) May perform all functions allowed by federal or state law and approved by the board, under the supervision of a licensed pharmacist who is physically on premises and holds an unrestricted license issued by the board;
- (b) May conduct product verification, process refills, verify repackaging or drugs, and perform a other pharmacist tasks not required to be completed by a licensed pharmacist;
- (c) May perform duties allowed by either certified or registered pharmacy technicians; and
- (d) Shall not interpret or evaluate prescription or drug orders, verify a compounded drug, or counsel or advise individuals related to the clinical use of a medication

**Commented [MOU4]:** Added per Kathy Bizarro-Thunberg’s written proposal shared at the 8/17 NHBOP meeting

**Readopt with amendment 1303.01, effective 9/18/12 (Document #10185), to read as follows:**

PART Ph 1303 [PHARMACIST] ADMINISTRATION OF VACCINES QUALIFICATIONS AND APPLICATION

Ph 1303.01 Qualifications.

(a) ~~A pharmacist, pharmacy intern, or certified pharmacy technician~~ Pharmacy personnel as authorized by RSA 318:16-b who seeks to engage in the administration of vaccines shall meet the requirements of:

**Commented [MOU5]:** Delete previous and add “Pharmacy personnel” -- Added per Kathy Bizarro-Thunberg’s written proposal shared at the 8/17 NHBOP meeting

- (1) RSA 318:16-b, I, relative to education or experience;
- (2) RSA 318:16-b, II, relative to professional liability insurance coverage; and
- (3) RSA 318:16-b, III, relative to completion of continuing education.

(b) ~~A pharmacist, pharmacy intern, or pharmacy technician~~ Pharmacy personnel as authorized by RSA 318:16-b who seeks to engage in the administration of vaccines shall hold current basic or higher certification in cardiopulmonary resuscitation (CPR) from the American Heart Association, the American Red Cross, or from another organization or entity that is nationally-recognized as an issuer of such certifications.

**Commented [MOU6]:** I don’t think we need to specify what vaccines a CPhT can do as we reference the RSA  
Commentary from Bob Stout – “Also I would ask that somewhere in this section that it is shown that Certified Pharmacy Technicians are only authorized to administer Influenza and Covid vaccines. I understand the rule refers back to RSA 318:16-b but including that here would lead clarity to the rule in case the statute is not reviewed.”

[(c) A pharmacist shall not delegate the administration of vaccines to any person.]

(c) A pharmacy intern, licensed advance pharmacy technician, or certified pharmacy technician as authorized by RSA 318:16-b who is administering vaccines shall be supervised by an onsite supervising pharmacist who is licensed with the board to administer vaccines.

**Commented [MOU7]:** Delete previous and add “Pharmacy personnel” -- Added per Kathy Bizarro-Thunberg’s written proposal shared at the 8/17 NHBOP meeting

**Readopt with amendment 1303.02, effective 6/3/15 (Document #10185), to read as follows:**

**Commented [MOU8]:** Added per Kathy Bizarro-Thunberg’s written proposal shared at the 8/17 NHBOP meeting

**Commented [MOU9]:** Changed on-sight to onsite

Ph 1303.02 Application. [(a)–] **A pharmacist Pharmacy personnel** who seeks to engage in the administration of vaccines shall file a completed “Pharmacist Application to Administ[ation]er [of] Vaccines [Application” (February 2015)] Form” revised 6/2022 as specified in RSA 318:16-b, IV.

**Commented [MOU10]:** Delete previous and add “Pharmacy personnel” -- Added per Kathy Bizarro-Thunberg’s written proposal shared at the 8/17 NHBOP meeting

[(b)–An application fee of \$25.00 shall be filed with the board and included with the above application.]

**Readopt with amendment 1304, effective 9/18/12 (Document #10185), to read as follows:**

PART Ph 1304 [PHARMACIST] ADMINISTRATION OF VACCINES PROCEDURAL AND RECORDKEEPING REQUIREMENTS

Ph 1304.01 Vaccine Administration Requirements. **A pharmacist Pharmacy personnel** who engages in the administration of vaccines shall comply with the following procedures:

**Commented [MOU11]:** Delete previous and add “Pharmacy personnel” -- Added per Kathy Bizarro-Thunberg’s written proposal shared at the 8/17 NHBOP meeting

(a) Provide the patient with a “Vaccine Information Statement (VIS)”, **or equivalent information if the vaccine is authorized under an Emergency Use Authorization (EUA)**, as provided by the Centers for Disease Control (CDC);

**Commented [MOU12]:** Added a coma in

(b) Ensure that the patient has received and signed the “Patient Consent Form,” **inclusive of electronic forms of communication and consent**, and has been counseled and his or hers questions answered prior to administration of the vaccine;

**Commented [MOU13]:** Added per Kathy Bizarro-Thunberg’s written proposal shared at the 8/17 NHBOP meeting

(c) Maintain and follow written policies and procedures that establish a course of action the pharmacist shall follow to address:

**Commented [MOU14]:** Added per Kathy Bizarro-Thunberg’s written proposal shared at the 8/17 NHBOP meeting

- (1) Adverse reactions;
- (2) Anaphylactic reactions including a standard order for treatment;
- (3) Accidental needle sticks; and
- (4) Handling/disposal of used or contaminated equipment and supplies;

(d) Report all adverse events to the Vaccine Adverse Events Reporting System (VAERS) and to the primary care physician if applicable;

**Commented [MOU15]:** Added per Bob Stout’s written feedback – “Lastly Ph 1304.01 (d). This section states reporting to VAERS and the provider if applicable. The statute requires that a VAERS report is filed whereas notification of the provider would be based on the pharmacists’ judgement. Maybe a comma inserted after the VAERS or other separation to more clearly define the requirement.”

(e) Provide the patient with documentation of the vaccination and when appropriate report it to the immunization section of the New Hampshire department of health and human services to be added to the Vaccination Registry.

(f) Provide notice electronically, in writing, or fax ~~[by within 30 days]~~ to the primary care provider, when ~~[the practitioner has been designated]~~ **requested-designated** by the patient, of the administration of the ~~[pneumococcal and varicella zoster]~~ vaccine ~~[and maintain documentation of the record for a minimum of 4 years]; and~~

**Commented [MOU16]:** Per Bob Stout – “The last section I would ask to review is Ph 1304.01. The word that is used here is “requested”. The statute states “when designated by the patient”. I read the statute to show this step as required if a primary care provider is identified. The use of the word request to me suggests only providing notice to the provider if the patient requests that.”

(g) Be able to recognize anaphylaxis and maintain at least 2 doses of injectable epinephrine at all times to treat a reaction if it occurs.

Tina – can we have council review this to ensure alignment in the adjusted language

Ph 1304.02 Recordkeeping. ~~A pharmacist~~ **Pharmacy personnel** who engages in the administration of vaccines shall, for a minimum of 4 years, keep a patient consent form that includes the:

**Commented [MOU17]:** Delete previous and add "Pharmacy personnel" -- Added per Kathy Bizarro-Thunberg's written proposal shared at the 8/17 NHBOP meeting

(a) Name and date of birth of the patient;

(b) Name of the vaccine, manufacturer, lot number, and expiration date of the vaccine;

(c) ~~[Description of the]~~ **Indication that the patient understands there are** risks and possible side effects of the vaccine;

(d) Date of administration;

(e) ~~[Administering pharmacist's]~~ **Vaccine administers administrator** name; ~~and~~

**Commented [MOU18]:** Added per Kathy Bizarro-Thunberg's written proposal shared at the 8/17 NH BOP meeting

**(f) Name of pharmacist overseeing the administration by pharmacy interns, licensed advanced pharmacy technician, or pharmacy technicians as authorized by RSA 318:16-b; and**

**Commented [MOU19]:** Added per Kathy Bizarro-Thunberg's written proposal shared at the 8/17 NH BOP meeting

~~(f)~~ **(g)** Signature of the patient

**Commented [MOU20]:** Kathy Bizarro-Thunberg asked for the NHBOP to explicitly call out the signature can be completed electronically. Based on the addition content added to Ph 1304.01 (b) I don't think we need to call that out here as it is covered in Ph 1304.01 (b)

**APPENDIX**

<b>Rule</b>	<b>Specific State Statute the Rule Implements</b>
Ph 1301.01	RSA 541-A:8
Ph 1301.02	RSA 541-A:8; RSA 318:5-a, IV-a
Ph 1302.01, Ph 1302.02, and Ph 1302.04	RSA 541-A:7; RSA 541-A:8; RSA 541-A:16, I(b)
Ph 1303.01	RSA 318:16-b; RSA 318-A:16
Ph 1303.02	RSA 541-A:16, I(b); RSA 318:16-b, IV
Ph 1304	RSA 318:16-b; RSA 318:16-f