



## 2003 SENATE BILL 426

February 3, 2004 - Introduced by Senators S. FITZGERALD, LASSA, SCHULTZ and REYNOLDS, cosponsored by Representatives GIELOW, HINES, ALBERS, J. FITZGERALD, KRAWCZYK, McCORMICK, HAHN, GUNDERSON, VAN ROY and VRAKAS. Referred to Committee on Health, Children, Families, Aging and Long Term Care.

1     **AN ACT to amend** 450.035 (2), 450.035 (2m), 450.035 (2t) (intro.), 450.035 (2t) (a)  
2             and 450.035 (3); and **to create** 450.035 (1t) and 450.035 (2g) of the statutes;  
3             **relating to:** the administration of vaccines by persons supervised by a  
4             pharmacist.

---

### *Analysis by the Legislative Reference Bureau*

Current law allows a pharmacist to administer a vaccine to a person over the age of 18 if the pharmacist has successfully completed 12 hours of study and training approved by the Pharmacy Examining Board or by the American Council on Pharmaceutical Education and has in effect certain liability insurance that applies to the administration of vaccines. A pharmacist may also inject a prescribed drug or device into a patient for the purpose of teaching the patient self-administration techniques if the pharmacist has completed a specialized course of study and training in administration techniques.

Current law also allows a person who has completed his or her second year in, and is enrolled at, an accredited school of pharmacy or who has applied for a pharmacist license to engage in the practice of pharmacy under the direct supervision of a licensed pharmacist.

This bill allows a person who has completed his or her second year in, and is enrolled at, an accredited school of pharmacy or who has applied for a pharmacist license to administer, under the direct supervision of a licensed pharmacist, a vaccine to a person over the age of 18 if the person and the supervising pharmacist have successfully completed 12 hours of study and training approved by the Pharmacy

**SENATE BILL 426**

Examining Board or by the American Council on Pharmaceutical Education and if the supervising pharmacist has in effect certain liability insurance that applies to the administration of vaccines. The bill also allows a person who has completed his or her second year in, and is enrolled at, an accredited school of pharmacy or who has applied for a pharmacist license to administer, under the direct supervision of a licensed pharmacist, a prescribed drug or device into a patient for the purpose of teaching the patient self-administration techniques if the person and the supervising pharmacist have completed a specialized course of study and training in administration techniques.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 450.035 (1t) of the statutes is created to read:

2           450.035 (1t) A person engaged in the practice of pharmacy under s. 450.03 (1)  
3 (f) or (g) may not administer a prescribed drug product or device unless he or she has  
4 successfully completed a course of study and training in administration technique  
5 conducted by a course provider approved by the American Council on  
6 Pharmaceutical Education or the board. A person engaged in the practice of  
7 pharmacy under s. 450.03 (1) (f) or (g) may administer a prescribed drug product or  
8 device under this subsection only under the direct supervision of a pharmacist who  
9 has successfully completed a course of study and training in administration  
10 technique conducted by a course provider approved by the American Council on  
11 Pharmaceutical Education or the board, and only in the course of teaching  
12 self-administration techniques to a patient. A person engaged in the practice of  
13 pharmacy under s. 450.03 (1) (f) or (g) who administers a prescribed drug product or  
14 device under this subsection shall comply with the requirements and procedures  
15 established in rules promulgated by the board under s. 450.02 (2g) (b).

16           **SECTION 2.** 450.035 (2) of the statutes is amended to read:

**SENATE BILL 426**

1           450.035 (2) A pharmacist may not administer a vaccine unless he or she has  
2           successfully completed 12 hours in a course of study and training, approved by the  
3           American Council on Pharmaceutical Education or the board, in vaccination storage,  
4           protocols, ~~injection~~ administration technique, emergency procedures and record  
5           keeping and has satisfied the requirements specified in sub. (2t). A pharmacist may  
6           not administer a vaccine under this subsection to a person who is under the age of  
7           18.

8           **SECTION 3.** 450.035 (2g) of the statutes is created to read:

9           450.035 (2g) A person engaged in the practice of pharmacy under s. 450.03 (1)  
10          (f) or (g) may not administer a vaccine unless he or she acts under the direct  
11          supervision of a pharmacist and he or she and the supervising pharmacist have  
12          successfully completed 12 hours in a course of study and training, approved by the  
13          American Council on Pharmaceutical Education or the board, in vaccination storage,  
14          protocols, administration technique, emergency procedures and record keeping and  
15          the supervising pharmacist has satisfied the requirements specified in sub. (2t). A  
16          person engaged in the practice of pharmacy under s. 450.03 (1) (f) or (g) may not  
17          administer a vaccine under this subsection to a person who is under the age of 18.

18          **SECTION 4.** 450.035 (2m) of the statutes is amended to read:

19          450.035 (2m) ~~A~~ Except as provided in sub. (1t) or (2g), a pharmacist may not  
20          delegate to any person any administration of a prescribed drug product or device or  
21          vaccine under sub. (1r) or (2).

22          **SECTION 5.** 450.035 (2t) (intro.) of the statutes is amended to read:

23          450.035 (2t) (intro.) A pharmacist may not administer a vaccine under sub. (2)  
24          or supervise a person administering a vaccine under sub. (2g) unless he or she the  
25          pharmacist satisfies each of the following:

**SENATE BILL 426****SECTION 6**

1           **SECTION 6.** 450.035 (2t) (a) of the statutes is amended to read:

2           450.035 **(2t)** (a) The pharmacist has in effect liability insurance that covers the  
3 pharmacist and a person who administers a vaccine under sub. (2g) against loss,  
4 expense and liability resulting from errors, omissions or neglect in the  
5 administration of vaccines in an amount that is not less than \$1,000,000 for each  
6 occurrence and \$2,000,000 for all occurrences in any one policy year.

7           **SECTION 7.** 450.035 (3) of the statutes is amended to read:

8           450.035 **(3)** A pharmacist or a person engaged in the practice of pharmacy  
9 under s. 450.03 (1) (f) or (g) who successfully completes a course of study and training  
10 specified in sub. (1r) ~~or (2), (1t), (2), or (2g)~~ shall maintain proof of completion and,  
11 upon request, provide copies of such proof to the department or the board.

12

(END)