

2003 SENATE BILL 426

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

Analysis by the Legislative Reference Bureau

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

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1 pharmacy under s. 450.03 (1) (f) or (g) may administer a prescribed drug product or
2 device under this subsection only under the direct supervision of a pharmacist who
3 has successfully completed a course of study and training in administration
4 technique conducted by a course provider approved by the American Council on
5 Pharmaceutical Education or the board, and only in the course of teaching
6 self-administration techniques to a patient. A person engaged in the practice of
7 pharmacy under s. 450.03 (1) (f) or (g) who administers a prescribed drug product or
8 device under this subsection shall comply with the requirements and procedures
9 established in rules promulgated by the board under s. 450.02 (2g) (b).

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

11 450.035 (2) A pharmacist may not administer a vaccine unless he or she has
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, ~~injection~~ administration technique, emergency procedures and record
15 keeping and has satisfied the requirements specified in sub. (2t). A pharmacist may
16 not administer a vaccine under this subsection to a person who is under the age of
17 18.

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

19 450.035 (2g) A person engaged in the practice of pharmacy under s. 450.03 (1)
20 (f) or (g) may not administer a vaccine unless he or she acts under the direct
21 supervision of a pharmacist and he or she and the supervising pharmacist have
22 successfully completed 12 hours in a course of study and training, approved by the
23 American Council on Pharmaceutical Education or the board, in vaccination storage,
24 protocols, administration technique, emergency procedures and record keeping and
25 the supervising pharmacist has satisfied the requirements specified in sub. (2t). A

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1 person engaged in the practice of pharmacy under s. 450.03 (1) (f) or (g) may not
2 administer a vaccine under this subsection to a person who is under the age of 18.

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

4 450.035 **(2m)** ~~A~~ Except as provided in sub. (1t) or (2g), a pharmacist may not
5 delegate to any person any administration of a prescribed drug product or device or
6 vaccine under sub. (1r) or (2).

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

8 450.035 **(2t)** (intro.) A pharmacist may not administer a vaccine under sub. (2)
9 or supervise a person administering a vaccine under sub. (2g) unless ~~he or she~~ the
10 pharmacist satisfies each of the following:

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

12 450.035 **(2t)** (a) The pharmacist has in effect liability insurance that covers the
13 pharmacist and a person who administers a vaccine under sub. (2g) against loss,
14 expense and liability resulting from errors, omissions or neglect in the
15 administration of vaccines in an amount that is not less than \$1,000,000 for each
16 occurrence and \$2,000,000 for all occurrences in any one policy year.

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

18 450.035 **(3)** A pharmacist or a person engaged in the practice of pharmacy
19 under s. 450.03 (1) (f) or (g) who successfully completes a course of study and training
20 specified in sub. (1r) ~~or (2), (1t), (2), or (2g)~~ shall maintain proof of completion and,
21 upon request, provide copies of such proof to the department or the board.

22 (END)