

SENATE BILL 426 (LRB -3560)

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.

2004

02-20.	S.	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 .	
02-03.	S.	Read first time and referred to committee on Health, Children, Families, Aging and Long Term Care	587
02-19.	S.	Public hearing held.	
02-20.	S.	Executive action taken.	
02-24.	S.	Report passage recommended by committee on Health, Children, Families, Aging and Long Term Care, Ayes 8, Noes 1	625
02-24.	S.	Available for scheduling.	
02-26.	S.	Placed on calendar 3-2-2004 by committee on Senate Organization.	
03-02.	S.	Read a second time	654
03-02.	S.	Senator Darling added as a coauthor	654
03-02.	S.	Ordered to a third reading	654
03-02.	S.	Rules suspended	654
03-02.	S.	Read a third time and passed	654
03-02.	S.	Ordered immediately messaged	655
03-02.	A.	Received from Senate	780
03-02.	A.	Read first time and referred to committee on Public Health	780
03-03.	A.	Public hearing held.	
03-03.	A.	Executive action taken.	
03-04.	A.	Report concurrence recommended by committee on Public Health, Ayes 6, Noes 0	786
03-04.	A.	Referred to committee on Rules	786
03-10.	A.	Made a special order of business at 9:06 A.M. on 3-11-2004 pursuant to Assembly Resolution 39	860
03-11.	A.	Read a second time.	
03-11.	A.	Ordered to a third reading.	
03-11.	A.	Rules suspended.	
03-11.	A.	Read a third time and concurred in .	
03-11.	A.	Ordered immediately messaged.	
03-11.	S.	Received from Assembly concurred in.	

**2003
ENROLLED BILL**

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ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt**

03-3569 2

Amendments to above (if none, write "NONE"): none

Corrections - show date (if none, write "NONE"): none

Topic relays

3/12/04 [Signature]
Date Enrolling Drafter

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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

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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:

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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:

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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)