

2003 Senate Bill 426

Date of enactment: **April 6, 2004**  
Date of publication\*: **April 20, 2004**

## 2003 WISCONSIN ACT 181

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.

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

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

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

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

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

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

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

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

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\* Section 991.11, WISCONSIN STATUTES 2001-02 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

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

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

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

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

450.035 (2t) (a) The pharmacist has in effect liability insurance that covers the pharmacist and a person who

administers a vaccine under sub. (2g) against loss, expense and liability resulting from errors, omissions or neglect in the administration of vaccines in an amount that is not less than \$1,000,000 for each occurrence and \$2,000,000 for all occurrences in any one policy year.

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

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