

2003-04 SESSION
COMMITTEE HEARING
RECORDS

Committee Name:

Senate Committee on
Health, Children,
Families, Aging and
Long Term Care
(SC-HCFALTC)

Sample:

Record of Comm. Proceedings ... RCP

- 03hrAC-EdR_RCP_pt01a
- 03hrAC-EdR_RCP_pt01b
- 03hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

➤ **

➤ Committee Hearings ... CH

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Hearing Records ... HR

➤ 03hr_sb0426b

➤ Miscellaneous ... Misc

➤ **

➤ Record of Comm. Proceedings ... RCP

➤ **

Senate Bill 426 relating to: the administration of vaccines by persons supervised by a pharmacist.

BILL SPONSORS

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.

BILL HISTORY

Senate Bill 426 referred to the Senate Committee on Health, Children, Families Aging and Long Term Care on February 3, 2004. A public hearing was held on February 19, 2004.

On February 24, 2004 the Committee recommended passage of SB 426 on a vote of 8-1 (Carpenter).

LRB ANALYSIS

Current Law

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.

Proposed Changes:

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 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.

Major Impact:

SB 426 will allow a person who has completed his or her second year in, and is enrolled at, an accredited school of pharmacy to administer vaccinations.

FISCAL IMPACT

A fiscal note was not prepared for this bill.

<p>SUPPORT</p>	<p>The following people appeared in favor of this bill: (1) Senator Scott Fitzgerald, 13th Senate District; (2) Tom Engels, Pharmacy Society of Wisconsin; (3) Sue Sutter, Pharmacy Examining Board; (4) Rhonda Leschisin, Student Pharmacist; (5) Emily Stamos, Student Pharmacist; (6) Mary Hayne, UW Madison School of Pharmacy; (7) Jeanette Roberts, UW Madison School of Pharmacy, Madison; and (8) John Bohlman, Self, Madison.</p> <p>The following people registered in favor of this bill: (1) Steve Minessale, UW Madison Pharmacy School; (2) Dave Kepler, Self, Madison; (3) Cathy Forsythe, UW Madison Pharmacy School, Madison; (4) Bonny Kimball, UW Madison School of Pharmacy, Madison; (5) Stacy Daun, UW Madison School of Pharmacy, Madison; (6) Heather Keane, UW Madison Pharmacy School, Madison; (7) Chris House, Self, Middleton; (8) Kim Hancock, Self, Madison; (9) Chi Phung, Self, Madison; and (10) Senator Tom Reynolds, 5th Senate District, Madison</p>
<p>OPPOSITION</p>	<p>No one appeared or registered in opposition to this bill.</p>
<p>CONTACT</p>	<p>Jennifer Halbur, Senator Carol Roessler, 266-5300</p>
<p>DATE</p>	<p>February 27, 2004</p>

Senate Bill 426

Relates to the administration of vaccines by persons supervised by a 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:
 1. 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 Examining Board or by the American Council on Pharmaceutical Education. The supervising pharmacist must also have in effect certain liability insurance that applies to the administration of vaccines.
 2. Administer 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.
- **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.
- **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.

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:

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)

Halbur, Jennifer

From: Rhodes-Engels, Judi
Sent: Tuesday, February 17, 2004 8:59 AM
To: Halbur, Jennifer
Subject: RE: SB 426

Hey Jennifer,

I know Scott really wants to move the bill. Alice has never contacted our office or Scott about this bill. I contacted her when we were still in the drafting process, and she has never returned my calls so all i could do was assume they were okay with it.

If Carol has any concerns, let me know.

Thanks!

Judi

-----Original Message-----

From: Halbur, Jennifer
Sent: Monday, February 16, 2004 7:57 PM
To: Rhodes-Engels, Judi
Subject: SB 426

Hi Judi,

How fast does your boss want SB 426 to move? Carol may want to hold on having an executive session this Thursday. We would still have a public hearing though. I know that Alice O'Connor was planning to touch base you with you earlier today. Let me know what you think about the WI. Medical Society position on this bill.

Thanks,
Jennifer



**PHARMACY
SOCIETY OF
WISCONSIN**

*"Leading Our Profession
in a Changing
Health Care Environment"*

To: Members of the Senate Health Committee

From: Tom Engels, Vice President of Public Affairs
Pharmacy Society of Wisconsin

Re: **Senate Bill 426, to modify current law and allow pharmacy students to administer vaccinations.**

Senate Bill 426 is a necessary addition to current state law as it relates to the education of pharmacist students.

This bill is supported by the University of Wisconsin-Madison School of Pharmacy, Wisconsin Pharmacy Examining Board, Wisconsin Society of Pharmacy Students and Pharmacy Society of Wisconsin.

Current law already allows pharmacy students to perform all the functions of a pharmacist while under the direct supervision of a pharmacist. Pharmacists in Wisconsin have been allowed in Wisconsin to administer vaccinations and prescribed drug products since 1997. When the Pharmacy Practice Act was revised seven-years ago to allow pharmacists to provide immunizations and administer certain medications, those choosing to provide the services were required to complete extensive training.

When the legislation was adopted, a provision was included that prohibited pharmacists from delegating the vaccination authority (presumably to a pharmacy technician or another pharmacy employee.) The Wisconsin Pharmacy Examining Board believes that a technical correction needs to be made to current law in order to allow qualified pharmacy students to perform these functions under the direct supervision of a licensed pharmacist. In order to qualify, both the student and pharmacist must meet the required educational criteria.

The intent of Senate Bill 426 is to clarify current law and to provide for the full educational needs of pharmacists.

Although, the bill is simply a technical modification to a current law, it's a necessary correction. Pharmacy students are required to have 1,500 hours of clinical clerkship as a condition of licensure. Clinical clerkships allow hands-on patient care experience that is no different than that of medical or nursing students. Learning how to properly give immunizations is simply a component of a comprehensive pharmacy education.

Working under the direct supervision of a pharmacist, students can gain the experience they will need in all levels of pharmacy. Without this educational experience they will be denied the opportunity to learn these skills before they are licensed. Without the passage of this bill, students will continue to be denied an opportunity to assist with the administration of vaccines that save lives and prevent serious illness to thousands of Wisconsin citizens.

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2-19-04
Health

SB426

- Intro. on behalf of Constit. See Sutter - She is on the pharmacy examining Bd.

Case

Susan Sutter

- Supports
- Subm. Hcd written.

Tom Engels Supports

- submitted written
- need to get this done before next FHE cycle.
- need students to have hands on experience.
- Students will be supervised.

- Rhonda Lisison Emily Stanos

- PT Students
- 4th yr pharmacy student (Rhonda)
- important that she gets to practice things while in school before students are licensed.
- Vaccination course is elective.
- 135 people in her class
- Emily: best interest of patients to allow her to practice.



Mary Hanney - Prof. School of Pharmacy (UW)

- She developed vaccination course offered to 3rd yr student.
- Last wk - Journal of Vaccines that said, vaccinations were greater in states that allow pharmacists to vaccinate. — Submitted article
- Public Health issue.

John Bohman

- Supports - strongly
- does have written testimony
- Submitted written testimony.