

# House Bill 2278

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Oregon Health Authority)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Authorizes pharmacists to administer influenza vaccine to persons six months of age or older. Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to pharmacists; creating new provisions; amending ORS 689.645; and prescribing an effective date.

3  
4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 689.645 is amended to read:

6 689.645. (1) In accordance with rules adopted by the State Board of Pharmacy under ORS  
7 689.205, a pharmacist may:

8 (a) Administer vaccines:

9 (A) To persons who are seven years of age or older; [*or*]

10 (B) If authorized by the Governor or the Director of the Oregon Department of Emergency  
11 Management under ORS 433.441 or the Public Health Director under ORS 433.443 or 433.444, to a  
12 person three years of age or older; **or**

13 **(C) To persons who are six months of age or older if the vaccine administered is an in-**  
14 **fluenza vaccine.**

15 (b) Pursuant to a statewide drug therapy management protocol developed by the Public Health  
16 and Pharmacy Formulary Advisory Committee convened under ORS 689.649 and adopted by rule of  
17 the board, provide approved patient care services including smoking cessation therapy and travel  
18 health services.

19 (c) Using a form prescribed by the board, submit a concept for the development of a protocol,  
20 other than the protocols pharmacists may establish under subsection (5) of this section, to the  
21 committee for consideration by the committee and recommendation to the board for adoption by rule  
22 of the board.

23 (d) Prescribe and dispense a drug or device included on the formulary established under sub-  
24 section (6) of this section if the prescription and dispensation is pursuant to a diagnosis by a health  
25 care practitioner who has prescriptive authority and is qualified to make the diagnosis.

26 (2) The board may adopt rules allowing a pharmacist to prescribe vaccines, provide patient care  
27 services and submit protocol concepts under subsection (1) of this section. The rules related to the  
28 prescription of vaccines may be only as broad as necessary to enable pharmacists to enroll and  
29 participate in the Vaccines for Children Program administered by the Centers for Disease Control  
30 and Prevention.

31 (3) The board is authorized to issue, to licensed pharmacists who have completed training ac-

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 credited by the Centers for Disease Control and Prevention, the Accreditation Council for Pharmacy  
2 Education or a similar health authority or professional body, certificates of special competency in  
3 the prescription and administration of vaccines.

4 (4) The board shall adopt rules relating to the reporting of the prescription and administration  
5 of vaccines to a patient's primary health care provider and to the Oregon Health Authority.

6 (5) The board shall adopt rules requiring pharmacists to establish protocols for the prescription  
7 and administration of vaccines and the provision of patient care services under subsection (1) of this  
8 section.

9 (6)(a) The board shall establish by rule a formulary of drugs and devices, as recommended by  
10 the committee, that a pharmacist may prescribe and dispense to a patient pursuant to a diagnosis  
11 by a health care practitioner who has prescriptive authority and who is qualified to make the di-  
12 agnosis.

13 (b) The formulary may include post-diagnostic drugs and devices such as diabetic testing sup-  
14 plies, emergency refills of insulin, albuterol inhalers, epinephrine autoinjectors, smoking cessation  
15 aids, discharge medications for transitions of care, rapid strep tests and spacers.

16 **SECTION 2. (1) The amendments to ORS 689.645 by section 1 of this 2023 Act become**  
17 **operative on January 1, 2024.**

18 **(2) The State Board of Pharmacy may take any action before the operative date specified**  
19 **in subsection (1) of this section that is necessary to enable the board to exercise, on and**  
20 **after the operative date specified in subsection (1) of this section, all of the duties, functions**  
21 **and powers conferred on the board by the amendments to ORS 689.645 by section 1 of this**  
22 **2023 Act.**

23 **SECTION 3. This 2023 Act takes effect on the 91st day after the date on which the 2023**  
24 **regular session of the Eighty-second Legislative Assembly adjourns sine die.**