

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2019**

**SESSION LAW 2019-21**  
**HOUSE BILL 388**

AN ACT TO ALLOW IMMUNIZING PHARMACISTS TO ADMINISTER THE INFLUENZA VACCINE TO PEOPLE TEN YEARS OF AGE AND OLDER AND TO ADMINISTER VACCINES RECOMMENDED BY THE CENTER FOR DISEASE CONTROL AND PREVENTION TO PEOPLE AT LEAST EIGHTEEN YEARS OF AGE PURSUANT TO A WRITTEN PROTOCOL TO INCREASE ACCESS TO VACCINES IN THE BEST INTEREST OF THE PUBLIC HEALTH OF THE CITIZENS OF NORTH CAROLINA.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 90-85.15B reads as rewritten:

**"§ 90-85.15B. Immunizing pharmacists.**

(a) Except as provided in subsection (b) and (c) of this section, an immunizing pharmacist may administer vaccinations or immunizations only if the vaccinations or immunizations are recommended or required by the Centers for Disease Control and Prevention and administered to persons at least 18 years of age pursuant to a specific prescription order.

(b) An immunizing pharmacist may administer the vaccinations or immunizations listed in subdivisions (1) through ~~(5)~~ (7) of this subsection to persons at least 18 years of age if the vaccinations or immunizations are administered under written protocols as defined in 21 NCAC 46. 2507(b)(12) and 21 NCAC 32U. 0101(b)(12) and in accordance with the supervising physician's responsibilities as defined in 21 NCAC 46. 2507(e) and 21 NCAC 32U. 0101(e), and the physician is licensed in and has a practice physically located in North Carolina:

- (1) Pneumococcal polysaccharide or pneumococcal conjugate vaccines.
- (2) Herpes zoster vaccine.
- (3) Hepatitis B vaccine.
- (4) Meningococcal polysaccharide or meningococcal conjugate ~~vaccines~~ vaccines and Serogroup B meningococcal vaccines.
- (5) Tetanus-diphtheria, tetanus and diphtheria toxoids and pertussis, tetanus and diphtheria toxoids and acellular pertussis, or tetanus toxoid vaccines. However, a pharmacist shall not administer any of these vaccines if the patient discloses that the patient has an open wound, puncture, or tissue tear.
- (6) Human Papillomavirus vaccine.
- (7) Hepatitis A vaccine.

(c) An immunizing pharmacist may administer the influenza vaccine to persons at least ~~14-10~~ years of age pursuant to 21 NCAC 46. 2507 and 21 NCAC 32U. 0101. An immunizing pharmacist may administer an influenza vaccine to persons at least six years of age pursuant to a specific prescription order initiated by a prescriber following a physical examination of the patient by the prescriber.

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**SECTION 2.** Representatives of the North Carolina Academy of Family Physicians, the North Carolina Medical Society, the North Carolina Pediatric Society, the North Carolina Association of Community Pharmacists, the North Carolina Association of Pharmacists, and the



North Carolina Retail Merchants Association are directed to cooperate and collaborate to recommend a minimum standard screening questionnaire and safety procedures for written protocols for vaccinations or immunizations administered under G.S. 90-85.15B(b)(6)-(7). The questionnaire and recommended standards shall be submitted to the North Carolina Board of Medicine, the North Carolina Board of Nursing, the North Carolina Board of Pharmacy, and the Joint Legislative Oversight Committee on Health and Human Services on or before August 1, 2019. In the event that the questionnaire and recommended standards are not submitted by August 1, 2019, the Immunization Branch of the North Carolina Division of Public Health shall develop the questionnaire and recommended standards and submit them to the North Carolina Board of Medicine, the North Carolina Board of Nursing, the North Carolina Board of Pharmacy, and the Joint Legislative Oversight Committee on Health and Human Services by September 15, 2019.

**SECTION 3.** Section 1 of this act becomes effective on October 1, 2019, and the remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 29<sup>th</sup> day of May, 2019.

s/ Philip E. Berger  
President Pro Tempore of the Senate

s/ Tim Moore  
Speaker of the House of Representatives

s/ Roy Cooper  
Governor

Approved 11:29 a.m. this 3<sup>rd</sup> day of June, 2019