



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2140/1
KP:kjf

2019 ASSEMBLY BILL 137

March 25, 2019 - Introduced by Representatives KURTZ, ANDERSON, BOWEN, BROSTOFF, CONSIDINE, DITTRICH, DUCHOW, EDMING, FELZKOWSKI, HORLACHER, HUTTON, KOLSTE, KULP, LOUDENBECK, MURPHY, MURSAU, MYERS, NYGREN, OLDENBURG, RAMTHUN, RIEMER, ROHRKASTE, SKOWRONSKI, STUBBS, SUBECK, C. TAYLOR, THIESFELDT, TUSLER, VANDERMEER, VORPAGEL and VRUWINK, cosponsored by Senators TESTIN, BEWLEY, CARPENTER, DARLING, HANSEN, JOHNSON, KOOYENGA, MARKLEIN, OLSEN, RINGHAND, STROEBEL and L. TAYLOR. Referred to Committee on Health.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT** *to amend* 450.01 (16) (k) and 450.035 (2); and *to create* 450.035 (2c),
2 450.035 (2i) and 450.035 (4) of the statutes; **relating to:** pharmacists and
3 pharmacy students administering vaccines.

Analysis by the Legislative Reference Bureau

This bill eliminates any patient age restriction for the administration of a vaccine by a pharmacist if the vaccine is administered pursuant to the prescription order of a physician or other prescribing practitioner issued within the 29 days immediately preceding the day on which the vaccine is administered and the pharmacist has satisfied certain education requirements.

The bill also provides that a pharmacist or a pharmacy student under the direct supervision of a pharmacist may administer any vaccine that is listed in the immunization schedules published by the federal Centers for Disease Control and Prevention and any vaccine not so listed if administered pursuant to a prescription order of a physician or other practitioner or other requirements are met.

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

4 **SECTION 1.** 450.01 (16) (k) of the statutes is amended to read:
5 450.01 (16) (k) Administering prescribed drug products and devices under s.
6 450.035 (1r) and, ~~pursuant to vaccination protocols,~~ vaccines.

ASSEMBLY BILL 137**SECTION 2**

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

2 450.035 (2) A pharmacist may not administer a vaccine unless he or she has
3 successfully completed 12 hours in a course of study and training, approved by the
4 Accreditation Council for Pharmacy Education or the board, in vaccination storage,
5 protocols, administration technique, emergency procedures, and record keeping and
6 has satisfied the requirements specified in sub. (2t). ~~A Except as provided under~~
7 sub. (2c), a pharmacist may not administer a vaccine under this subsection to a
8 person who is under the age of 6.

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

10 450.035 (2c) A pharmacist may administer a vaccine under sub. (2) to a person
11 who is under the age of 6 if all of the following apply:

12 (a) The vaccine is administered pursuant to a prescription order issued within
13 the 29 days immediately preceding the day on which the vaccine is administered.

14 (b) The pharmacist has successfully completed a course of instruction approved
15 by the Accreditation Council for Pharmacy Education or the board that includes the
16 administration of vaccines to children under the age of 6.

17 **SECTION 4.** 450.035 (2i) of the statutes is created to read:

18 450.035 (2i) (a) Subject to subs. (2) and (2g), a pharmacist or a person engaged
19 in the practice of pharmacy under s. 450.03 (1) (f) or (g) may administer without a
20 prescription order any vaccine listed in the current immunization schedules
21 recommended by the federal advisory committee on immunization practices and
22 published by the federal centers for disease control and prevention.

23 (b) Subject to subs. (2) and (2g), a pharmacist or a person engaged in the
24 practice of pharmacy under s. 450.03 (1) (f) or (g) may initiate and administer any
25 vaccine not listed in the current immunization schedules recommended by the

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1 federal advisory committee on immunization practices and published by the federal
2 centers for disease control and prevention if the vaccine is administered pursuant to
3 a prescription order, vaccination protocol, or standing order.

4 **SECTION 5.** 450.035 (4) of the statutes is created to read:

5 450.035 (4) A pharmacist or person engaged in the practice of pharmacy under
6 s. 450.03 (1) (f) or (g) who administers a vaccine to a person under this section shall
7 update, or cause a pharmacy to update, the Wisconsin Immunization Registry
8 established by the department of health services within 7 days of administering the
9 vaccine.

10 (END)