
OLR Bill Analysis

sHB 5119

AN ACT PERMITTING PHARMACISTS TO ADMINISTER THE INFLUENZA VACCINE TO CHILDREN TWELVE YEARS OF AGE AND OLDER.

SUMMARY

This bill grants licensed pharmacists the authority under state law to administer the flu vaccine, with parental or guardian consent, to minors ages 12 years or older. It applies to the flu vaccine approved by the U.S. Food and Drug Administration. (Under specified conditions, federal law currently protects pharmacists from liability under federal or state law for administering approved vaccines, including the flu vaccine, to children ages three and older; see BACKGROUND.)

By law, pharmacists may already administer to adults any vaccines on the Centers for Disease Control and Prevention's (CDC) adult immunization schedule. Under the bill, as under existing law for adult vaccines, pharmacists must administer the flu vaccine to minors according to a licensed health care provider's order and Department of Consumer Protection regulations.

Under existing law, these regulations must require that pharmacists administering vaccines to adults complete an immunization training course. The bill correspondingly extends this training requirement to pharmacists administering the flu vaccine to minors ages 12 years or older.

EFFECTIVE DATE: July 1, 2022

BACKGROUND

Federal PREP Act and Pharmacists' Administration of Vaccines to Minors

The federal Public Readiness and Emergency Preparedness Act (PREP Act) authorizes the federal Health and Human Services (HHS)

secretary to issue declarations protecting certain covered persons from liability related to the administration or use of medical countermeasures (42 U.S.C. § 247d-6d). Pursuant to this authority, in August 2020, the HHS secretary issued a declaration authorizing state-licensed pharmacists, under certain criteria, to order and administer FDA-authorized or FDA-approved vaccinations to minors ages 3 and older. Among other conditions, the (1) vaccination must be administered according to the CDC's standard schedule and (2) pharmacist must meet certain training and recordkeeping requirements (HHS, Third Amendment to Declaration Under the PREP Act for Medical Countermeasures Against COVID-19).

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 29 Nay 2 (03/11/2022)