

HOUSE BILL NO. 1498

Introduced by

Representatives Vigesaa, D. Anderson, Becker, Dockter, Kasper, Mock, Rohr

Senators Hogue, O. Larsen, Piepkorn

1 A BILL for an Act to amend and reenact subsection 1 of section 43-15-01 and section
2 43-15-31.5 of the North Dakota Century Code, relating to pharmacist administration of drugs.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 1 of section 43-15-01 of the North Dakota Century
5 Code is amended and reenacted as follows:

6 1. "Administration" means the direct application of a drug to the body of a patient.

7 a. The term includes:

8 ~~(1)~~a. The emergency maintenance of a drug delivery device used in home infusion
9 therapy by a qualified home pharmacist ~~when~~if nursing service is not available;

10 ~~(2)~~b. Upon an order by a ~~physician, a physician assistant, or nurse practitioner~~
11 authorized to prescribe such a drug or by written protocol with a physician or
12 nurse practitioner and subsequently reported as a childhood immunization and
13 other information if required to the state's immunization information system
14 pursuant to section 23-01-05.3:

15 ~~(a)~~(1) Immunization and vaccination by injection of an individual who is at least
16 eleven years of age; and

17 ~~(b)~~(2) Influenza vaccination by injection or by live, attenuated influenza vaccine of
18 an individual who is at least five years of age; ~~and~~

19 ~~(3)~~c. Provision of other drugs by ~~subcutaneous, intradermal, and intramuscular~~
20 ~~injection~~ to an individual who is at least eighteen years of age upon the order of a
21 ~~physician, a physician assistant, or nurse practitioner~~ authorized to prescribe
22 such a drug.

23 b. The term does not include the regular ongoing delivery of a drug to the patient in
24 a health care setting and other parenteral administration of a drug; and

1 d. Provision of drugs to an individual receiving emergency services.

2 **SECTION 2. AMENDMENT.** Section 43-15-31.5 of the North Dakota Century Code is
3 amended and reenacted as follows:

4 **43-15-31.5. ~~Injection~~Administration of drugs - Rules.**

5 Any~~A~~ pharmacist who administers drugs ~~by injection~~ must have a ~~certificate of authority~~
6 from the board. The authority to administer a drug ~~by injection~~ may not be delegated. The board
7 shall adopt rules to establish educational and operational requirements for a pharmacist to
8 obtain and maintain a ~~certificate of authority to administer drugs by injection~~. Rules adopted by
9 the board under this section must include:

- 10 1. Educational requirements ~~of a minimum of twenty hours~~, which include, at a minimum:
- 11 a. Basic immunology, including the human immune response;
- 12 b. The mechanism of immunity, adverse effects, dose, and administration schedule
13 of available vaccines and approved medication and immunization;
- 14 c. Current immunization guidelines and recommendations of the centers for disease
15 control and prevention;
- 16 d. Management of adverse events, including identification, appropriate response,
17 documentation, and reporting;
- 18 e. ~~How to educate patients on the need for immunizations;~~
- 19 f. Physiology and techniques for ~~subcutaneous, intradermal, and intramuscular~~
20 ~~injection of administration of drugs~~; and
- 21 ~~g-f.~~ Recordkeeping requirements established by law, rule, and regulation or
22 established standards of care.
- 23 2. A requirement ~~that an authorized pharmacist must~~shall obtain and maintain current
24 certification in cardiopulmonary resuscitation or basic cardiac life support.
- 25 3. ~~Requirements to maintain continuing competency with completion of a minimum of six-~~
26 ~~hours of education dedicated to this area of practice every two years.~~
- 27 4. Requirements for content of ~~physician~~practitioner orders and protocols.
- 28 ~~5.4.~~ Requirements relating to the reporting of the administration ~~by injection~~ to a patient's
29 primary health care provider and to the state department of health.
- 30 ~~6.5.~~ Requirements relating to environments in which ~~injections~~drugs may be administered.