

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 in a health care
2 facility upon an order or by established written protocol.

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

5 **43-15-31.5. InjectionAdministration of drugs - Rules.**

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

- 11 1. Educational requirements ~~of a minimum of twenty hours~~, which include, at a minimum:
12 a. Basic immunology, including the human immune response;
13 b. The mechanism of immunity, adverse effects, dose, and administration schedule
14 of available vaccines and approved medication and immunization;
15 c. Current immunization guidelines and recommendations of the centers for disease
16 control and prevention;
17 d. Management of adverse events, including identification, appropriate response,
18 documentation, and reporting;
19 e. ~~How to educate patients on the need for immunizations;~~
20 f. ~~Physiology and techniques for subcutaneous, intradermal, and intramuscular~~
21 ~~injectionof administration of drugs;~~ and
22 g-f. Recordkeeping requirements established by law, rule, and regulation or
23 established standards of care.
24 2. A requirement ~~that~~ an authorized pharmacist ~~must~~shall obtain and maintain current
25 certification in cardiopulmonary resuscitation or basic cardiac life support.
26 3. ~~Requirements to maintain continuing competency with completion of a minimum of six~~
27 ~~hours of education dedicated to this area of practice every two years.~~
28 4. Requirements for content of physicianpractitioner orders and protocols.
29 5-4. Requirements relating to the reporting of the administration ~~by injection~~ to a patient's
30 primary health care provider and to the state department of health.
31 6-5. Requirements relating to environments in which injectionsdrugs may be administered.