

**Sixty-sixth Legislative Assembly of North Dakota  
In Regular Session Commencing Thursday, January 3, 2019**

HOUSE BILL NO. 1498  
(Representatives Vigesaa, D. Anderson, Becker, Dockter, Kasper, Mock, Rohr)  
(Senators Hogue, O. Larsen, Piepkorn)

AN ACT to amend and reenact subsection 1 of section 43-15-01 and section 43-15-31.5 of the North Dakota Century Code, relating to pharmacist administration of drugs.

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

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

1. "Administration" means the direct application of a drug to the body of a patient.
  - a. The term includes:
    - (1)~~a.~~ The emergency maintenance of a drug delivery device used in home infusion therapy by a qualified home pharmacist ~~when~~if nursing service is not available;
    - (2)~~b.~~ Upon an order by a ~~physician, a physician assistant, or nurse practitioner~~ authorized to prescribe such a drug or by written protocol with a physician or nurse practitioner and subsequently reported as a childhood immunization and other information if required to the state's immunization information system pursuant to section 23-01-05.3:
      - (a)~~(1)~~ Immunization and vaccination by injection of an individual who is at least eleven years of age; and
      - (b)~~(2)~~ Influenza vaccination by injection or by live, attenuated influenza vaccine of an individual who is at least five years of age; ~~and~~
  - (3)~~c.~~ Provision of other drugs ~~by subcutaneous, intradermal, and intramuscular injection to an individual who is at least eighteen years of age upon the order of a physician, a physician assistant, or nurse practitioner authorized to prescribe such a drug.~~
    - b. ~~The term does not include the regular ongoing delivery of a drug to the patient in a health care setting and other parenteral administration of a drug; and~~
    - d. Provision of drugs to an individual receiving emergency services in a health care facility upon an order or by established written protocol.

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

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

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

1. Educational requirements ~~of a minimum of twenty hours,~~ which include, at a minimum:
  - a. Basic immunology, including the human immune response;

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

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Speaker of the House

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President of the Senate

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Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-sixth Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1498.

House Vote:      Yeas 91              Nays 0              Absent 3

Senate Vote:      Yeas 44              Nays 0              Absent 3

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Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2019.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2019,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

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Secretary of State