

HB 3056

FILED

2008 MAR 31 PM 4: 55

OFFICE OF THE  
SECRETARY OF STATE

**WEST VIRGINIA LEGISLATURE**  
SECOND REGULAR SESSION, 2008

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**ENROLLED**

COMMITTEE SUBSTITUTE  
FOR  
**House Bill No. 3056**

(By Delegates Perdue, Marshall, Evans,  
Fleischauer, Guthrie, Staggers and Eldridge)

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Passed March 6, 2008

In Effect Ninety Days from Passage

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## **H. B. 3056**

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(BY DELEGATES PERDUE, MARSHALL, EVANS,  
FLEISCHAUER, GUTHRIE, STAGGERS AND ELDRIDGE)

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[Passed March 6, 2008; in effect ninety days from passage.]

AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §30-5-30, relating to authorization for pharmacists to administer immunizations, setting forth limitations on those immunizations as to type of immunizations and age of the recipient; establishing training requirements, establishing reporting requirements; providing rule making authority and requiring annual reporting to the West Virginia Board of Pharmacy.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §30-5-30, to read as follows:

**ARTICLE 5. PHARMACISTS, PHARMACY TECHNICIANS,  
PHARMACY INTERNS AND PHARMACIES.**

**§30-5-30. Administration of immunizations.**

(a) A pharmacist licensed under the provisions of this article and meeting the requirements of this section may administer immunizations for the following to any person eighteen years of age or older: Influenza and Pneumonia.

(b) The Board of Pharmacy with the advice of the Board of Medicine and the Board of Osteopathy shall propose rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code to effectuate the provisions of this section. These rules shall provide, at a minimum, for the following:

(1) Establishment of a course, or provide a list of approved courses, in immunization administration. The courses must be based on the standards established for such courses by the Centers for Disease Control and Prevention in the public health service of the United States Department of Health and Human Services;

(2) Definitive treatment guidelines which shall include, but not be limited to, appropriate observation for an adverse reaction of an individual following an immunization;

(3) Prior to administration of immunizations, a pharmacist shall have completed a board approved immunization administration course and completed an American Red Cross or American Heart Association basic life-support training, and maintain certification in the same.

(4) Continuing education requirements for this area of practice;

(5) Reporting requirements for pharmacists administering immunizations to report to the primary care physician or other

licensed health care provider as identified by the person receiving the immunization;

(6) Reporting requirements for pharmacists administering immunizations to report to the West Virginia Statewide Immunization Information (WVSII);

(7) That a pharmacist may not delegate the authority to administer immunizations to any other person; and

(8) Any other provisions necessary to implement the provisions of this section.

(c) The Board of Pharmacy, the Board of Medicine and the Board of Osteopathy may propose joint rules for legislative approval in accordance with the provisions of article three, chapter twenty-nine-a of this code to permit pharmacists licensed under the provisions of this article to administer other immunizations such as Hepatitis A, Hepatitis B, Herpes Zoster and Tetanus. These rules, if promulgated, shall provide at a minimum the same provisions contained in subsections (b)(1) through (b)(8) of this section.

That Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Chandy Whitey  
Chairman Senate Committee

[Signature]  
Chairman House Committee

Originating in the House.

In effect ninety days from passage.

[Signature]  
Clerk of the Senate

[Signature]  
Clerk of the House of Delegates

Carl Ray Tomblin  
President of the Senate

[Signature]  
Speaker of the House of Delegates

The within is approved this the 3/8  
day of May, 2008.

[Signature]  
Governor

PRESENTED TO THE  
GOVERNOR

MAR 17 2008

Time

9:35 pm