

PHARMACIST, PHARMACY TECHNICIAN, AND PHARMACY INTERN VACCINATION AUTHORITY UNDER AMENDED G.S. § 90-85.15B

On May 19, 2023, Governor Cooper signed S.L. 2023-15 into law. Among other things, this statute amends G.S. § 90-85.15B (part of the Pharmacy Practice Act) to expand the state-law authority of pharmacists, pharmacy interns, and pharmacy technicians to administer vaccines.

This document details the broader state-law vaccination authority for pharmacy personnel, as well as how this broader authority intersects with PREP Act declaration-based authority that has been extended through December 31, 2024, and the North Carolina State Health Director's standing orders for pharmacist-administered COVID-19 vaccines that are valid through December 31, 2024.

Q. What is an “immunizing pharmacist”?

A. An “immunizing pharmacist” is one who:

- (1) Holds a current provider level cardiopulmonary resuscitation certification issued by the American Heart Association or the American Red Cross, or an equivalent certification.
- (2) Has successfully completed a certificate program in vaccine administration accredited by the Centers for Disease Control and Prevention, the Accreditation Council for Pharmacy Education, or a similar health authority or professional body approved by the Board.
- (3) Maintains documentation of three hours of continuing education every two years, designed to maintain competency in the disease states, drugs, and vaccine administration.
- (4) Has successfully completed training approved by the Division of Public Health's Immunization Branch for participation in the North Carolina Immunization Registry.
- (5) Has notified the North Carolina Board of Pharmacy and the North Carolina Medical Board of immunizing pharmacist status.
- (6) Administers vaccines or immunizations in accordance with G.S. 90-18.15B.

[GS § 90-85.15.3\(i1\)](#)

An immunizing pharmacist must report completion of this training to the Board by logging on to their profile in the Board's Licensure Gateway and checking the

“Vaccinator” option. ***NOTE*** Falsely attesting to completion of the training is a ground for professional discipline, up to and including revocation of license.

Q. What vaccines may pharmacists administer pursuant to prescription?

A. A pharmacist may administer any vaccine recommended or required by the Centers for Disease Control to a patient 18 years of age or older pursuant to a prescription order. G.S. § 90-85.15B(a).

A pharmacist may administer any vaccination approved by the FDA in accordance with recommendations by the Advisory Committee on Immunization Practices to a patient at least six (6) years of age pursuant to a specific prescription order initiated by a practitioner following a physical examination of the patient by the prescriber. G.S. § 90-85.15B(c).

Q. What vaccines may pharmacists administer pursuant to protocol?

A. A pharmacist may administer any vaccine recommended by the Advisory Committee on Immunization Practices (“ACIP”) to a patient 18 years of age or older pursuant to written protocols developed in compliance with [Board Rule 2507\(b\)\(12\)](#). Immunizing pharmacists should review their written protocols and, in consultation with the supervising physician, make any needed or desired changes to its scope. G.S. § 90-85.15B(a1).

An immunizing pharmacist may, pursuant to protocols developed in compliance with [Board Rule 2507\(b\)\(12\)](#), administer to a patient at least 7 years of age: (i) influenza vaccine; (ii) a COVID-19 vaccine recommended by the Advisory Committee on Immunization Practices; (iii) a COVID-19 vaccine authorized under an FDA Emergency Use Authorization and recommended by ACIP; or (iv) a combination influenza/COVID-19 vaccine recommended by ACIP. G.S. § 90-85.15B(b1).

Q. What vaccines may pharmacists administer to patients under the age of 18?

A. A pharmacist may administer any vaccination approved by the FDA in accordance with the protocols established by the Advisory Committee on Immunization Practices to a patient at least six (6) years of age pursuant to a specific prescription order initiated by a practitioner following a physical examination of the patient by the prescriber. G.S. § 90-85.15B(c).

An immunizing pharmacist may, pursuant to protocols developed in compliance with [Board Rule 2507\(b\)\(12\)](#), administer to a patient at least 7 years of age: (i) influenza vaccine; (ii) a COVID-19 vaccine recommended by the Advisory Committee on

Immunization Practices; (iii) a COVID-19 vaccine authorized under an FDA Emergency Use Authorization and recommended by ACIP; or (iv) a combination influenza/COVID-19 vaccine recommended by ACIP. G.S. § 90-85.15B(b1).

Prior to administering any vaccine to a patient under eighteen (18) years of age, the immunizing pharmacist must obtain written consent from the patient's parent or legal guardian. At the time the immunizing pharmacist obtains written consent from the patient's parent or legal guardian, an immunizing pharmacist, technician, or intern must inform the parent or legal guardian of the importance of a well-child visit with a pediatrician, family physician, or other licensed primary care provider. G.S. § 90-85.15B(b1), (g).

Immunizing pharmacists should review their written protocols and, in consultation with the supervising physician, make any needed or desired changes to its scope.

Q. What vaccines may pharmacy interns and pharmacy technicians administer?

A. Properly trained and supervised pharmacy interns and pharmacy technicians may, under the supervision of an immunizing pharmacist, administer any vaccine that an immunizing pharmacist may administer to a patient age 18 or older. G.S. § 90-85.15B(a1).

Properly trained and supervised pharmacy interns and pharmacy technicians may, under the supervision of an immunizing pharmacist, administer flu and COVID vaccines to patients age seven (7) or older. G.S. § 90-85.15B(b1).

Pharmacy interns and technicians must have completed a practical training program approved by ACPE that includes hands-on injection technique and the recognition and treatment of emergency reactions to vaccines. G.S. § 90-85.15B(f).

Pharmacy interns and technicians must hold a current certificate in basic cardiopulmonary resuscitation. G.S. § 90-85.15B(f).

Pharmacy technicians must complete two hours of ACPE-approved, immunization-related continuing education each year. G.S. § 90-85.15B(f). ***Note*** [Board Rule 2507](#) previously required the technician to obtain three hours of ACPE-approved, immunization training every two years. Pharmacy technicians will need to adjust their continuing education quantity and schedule to comply with the new statutory requirement.

[Board Rule 2507\(c\)](#) further specifies that a pharmacy technician must:

- Notify the Board of Pharmacy of immunizing technician status. The technician must make this notification by logging into their profile on the Board's licensure

gateway – <https://portal.ncbop.org/> – and updating their status as an immunizing technician.

- Be supervised by an immunizing pharmacist who is responsible for ensuring compliance with all legal requirements for vaccinations administered by the technicians.
- Either (i) have an immunizing pharmacist on site and readily available to assist as needed; or (ii) have another licensed health care provider authorized to administer vaccines on site and readily available to assist as needed and a supervising pharmacist readily available by phone or other telecommunications method for consultation as needed.
- Have the supervising immunizing pharmacist or other authorized health care provider review the patient’s vaccine registration or other vaccination records and any screening questionnaire prior to administering a vaccine.
- Make an offer to counsel prior to administering the vaccine.

Q. How does this expanded state-law authority intersect with federal PREP Act declarations?

A. The federal Department of Health and Human Services has extended certain (but not all) PREP Act declarations authorizing pharmacists, pharmacy interns, and pharmacy technicians to order (in the case of pharmacists) and administer (in the case of pharmacists, interns, and technicians) vaccines through December 31, 2024.

Specifically, the PREP Act declarations continue to authorize pharmacists to order and administer COVID-19 and flu vaccines to patients age three (3) years and older. Pharmacists may continue to exercise this broader PREP Act authority, which preempts more restrictive state law authority, through December 31, 2024.

NOTE PREP Act declaration authority for pharmacists to order and administer ACIP-recommended vaccinations to patients age 3 to 18 was not extended and expired with the end of the federal declaration of emergency on May 11, 2023. Pharmacist administration of vaccines to pediatric patients is, therefore, governed by North Carolina law as detailed above and, in the case of COVID-19 vaccines, by the State Health Director’s standing orders discussed below.

More information on the PREP Act declaration extension is found here: [Eleventh Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19](#)

Q. How does this expanded state-law authority intersect with the State Health Director’s standing orders for pharmacist-administered vaccines?

- A. State Health Director Tilson’s standing orders for pharmacist-administered COVID-19 vaccines provides a third (along with the state law and PREP Act declarations discussed above) direct authorization for pharmacist-administered vaccines. Dr. Tilson’s standing orders for pharmacist-administered COVID-19 vaccines are found here: <https://www.dph.ncdhhs.gov/HDSO-pharmacists.htm> Those orders remain in effect until the Dr. Tilson rescinds them or December 31, 2024. [SL 2023-65, Section 9.2\(a\)](#)