

**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.

Speaker of the House

President of the Senate

Chief Clerk of the House

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

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.

Secretary of State