

**Sixty-second Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 4, 2011**

SENATE BILL NO. 2035
(Legislative Management)
(Health and Human Services Committee)

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

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) The emergency maintenance of a drug delivery device used in home infusion therapy by a qualified home pharmacist when nursing service is not available;
 - (2) 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) ~~Immunization and vaccination by injection of an individual who is more than eighteen~~ at least eleven years of age, ~~upon an order by a physician or nurse practitioner authorized to prescribe such a drug or by written protocol with a physician or nurse practitioner; and~~
 - (b) Influenza vaccination by injection or by live, attenuated influenza vaccine of an individual who is at least five years of age; and
 - (3) Provision of drugs by subcutaneous, intradermal, and intramuscular injection to an individual who is ~~more than~~ 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.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-second Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2035.

Senate Vote: Yeas 45 Nays 2 Absent 0

House Vote: Yeas 91 Nays 0 Absent 3

Secretary of the Senate

Received by the Governor at _____ M. on _____, 2011.

Approved at _____ M. on _____, 2011.

Governor

Filed in this office this _____ day of _____, 2011,

at _____ o'clock _____ M.

Secretary of State