~~Indicates Matter Stricken~~

Indicates New Matter

COMMITTEE REPORT

February 20, 2020

**H. 4663**

Introduced by Reps. Finlay and Wheeler

S. Printed 2/20/20--H.

Read the first time January 14, 2020.

**THE COMMITTEE ON MEDICAL,**

**MILITARY, PUBLIC AND MUNICIPAL AFFAIRS**

To whom was referred a Bill (H. 4663) to amend Section 40‑43‑190, Code of Laws of South Carolina, 1976, relating to the protocol for pharmacists to administer influenza vaccines without the order of a, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by striking all after the enacting words and inserting:

/ SECTION 1. Section 40‑43‑190(A)(2) of the 1976 Code is amended to read:

“(2) The administration of vaccines as authorized in this section must not be to a person under the age of eighteen years; provided, however, that:

(a) the influenza vaccine may be administered to a person twelve years of age or older pursuant to protocol issued by the Board of Medical Examiners; ~~and~~

(b) the influenza vaccine may be administered to a person under the age of twelve pursuant to protocol issued by the Board of Medical Examiners upon recommendation of the Joint Pharmacist Administered Vaccines Committee; and

(c) a pharmacist who has completed the training described in subsection (B)(1) may administer ~~a vaccine~~ other vaccines approved by the Centers for Disease Control to a person of any age pursuant to a written order or prescription of a practitioner for a specific patient of that practitioner.”

SECTION 2. This act takes effect upon approval by the Governor. The initial recommendation required in Section 40‑43‑190(A)(2)(b) must be submitted to the Board of Medical Examiners no later than three months after the effective date of this act. /

Renumber sections to conform.

Amend title to conform.

LEON HOWARD for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Explanation of Fiscal Impact**

**Prefiled on November 20, 2019**

**State Expenditure**

This bill authorizes pharmacists, pursuant to protocol issued by the Board of Medical Examiners, which is under the regulation of LLR, to issue an influenza vaccine to a person of any age without a written order or prescription from a practitioner. Removing the age requirement will not materially alter the department’s oversight or regulatory activities. Therefore, the bill will not have an expenditure impact on the general fund, federal funds, or other funds.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**A** **BILL**

TO AMEND SECTION 40‑43‑190, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PROTOCOL FOR PHARMACISTS TO ADMINISTER INFLUENZA VACCINES WITHOUT THE ORDER OF A PRACTITIONER, SO AS TO PROVIDE PHARMACISTS MAY ADMINISTER INFLUENZA VACCINES TO PERSONS OF ANY AGE WITHOUT THE ORDER OF A PRACTITIONER PURSUANT TO PROTOCOL ISSUED BY THE BOARD OF MEDICAL EXAMINERS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 40‑43‑190(A)(2) of the 1976 Code is amended to read:

“(2) The administration of vaccines as authorized in this section must not be to a person under the age of eighteen years; provided, however, that:

(a) the influenza vaccine may be administered to a person ~~twelve years~~ of any age ~~or older~~ pursuant to protocol issued by the Board of Medical Examiners; and

(b) a pharmacist who has completed the training described in subsection (B)(1) may administer ~~a vaccine~~ other vaccines approved by the Centers for Disease Control to a person of any age pursuant to a written order or prescription of a practitioner for a specific patient of that practitioner.”

SECTION 2. This act takes effect upon approval by the Governor.

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