



May 30, 2023

[submitted electronically via: sh&w@legis.la.gov]

The Honorable Fred Mills
Chairman
Senate Health And Welfare Committee
P.O. Box 94183
Baton Rouge, LA 70804

Chairman Mills, Vice Chair Barrow, and members of the Health and Welfare Committee:

The American Pharmacists Association (APhA) appreciates the opportunity to submit proponent testimony on [House Bill \(HB\) 471](#) (Representative Freiberg). This bill will codify pharmacists' authority to administer immunizations to patients aged seven years or older. The bill will also codify pharmacy technicians' and pharmacy interns' authority to administer vaccines under the supervision of a pharmacist. Pharmacists, pharmacy technicians, and pharmacy interns currently have this authority in Louisiana due to federal Declarations under the Public Readiness and Emergency Preparedness (PREP) Act. However, some of the federal authorities under the PREP Act expired on May 11, 2023, and other authorities will be expiring under the Eleventh Amendment in December 2024,¹ which will interrupt access for patients' who have come to rely on pharmacy personnel to administer immunizations.

APhA is the largest association of pharmacists in the United States advancing the entire pharmacy profession. APhA represents pharmacists in all practice settings, including community pharmacies, hospitals, long-term care facilities, specialty pharmacies, community health centers, physician offices, ambulatory clinics, managed care organizations, hospice settings, and government facilities. Our members strive to improve medication use, advance patient care, and enhance public health. In Louisiana, with 5,010 licensed pharmacists and 6,490 pharmacy technicians, APhA represents pharmacists, students, and pharmacy technicians that practice in numerous settings and provide care to many of your constituents. As the voice of pharmacy, APhA leads the profession and equips members for their role as the medication expert in team-based, patient-centered care. APhA inspires, innovates, and creates opportunities for members and pharmacists worldwide to optimize medication use and health for all.

Louisiana pharmacists, pharmacy technicians, and pharmacy interns under the supervision of a pharmacist have been administering vaccines for the past several years after the U.S. Department of Health and Human

¹ U.S. Department of Health and Human Services (HHS). Eleventh Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published March 12, 2023. Available at: <https://www.federalregister.gov/documents/2023/05/12/2023-10216/eleventh-amendment-to-declaration-under-the-public-readiness-and-emergency-preparedness-act-for>

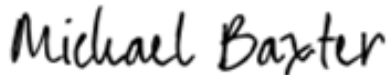
Services (HHS) issued a declaration under the PREP Act for medical countermeasures against COVID-19² and then the Third,³ Fourth,⁴ Eighth,⁵ and Tenth⁶ Amendments. HHS' declarations and amendments authorized the following:

- Pharmacists (order and administer) and pharmacy technicians and pharmacy interns under the supervision of a pharmacist, to administer to persons ages three or older COVID-19 vaccinations and seasonal influenza vaccines that have been authorized or licensed by the Food and Drug Administration (FDA).
- Pharmacists (order and administer) and pharmacy technicians and pharmacy interns under the supervision of a pharmacist, to administer any vaccine that the Advisory Committee on Immunization Practices (ACIP) recommends to persons ages three through 18 according to ACIP's standard immunization schedule.

The federal authority under the PREP Act preempts state law and Louisianans have been receiving expanded access to vaccines provided by their local pharmacy personnel for over three years. While pharmacists (order and administer) and pharmacy technicians' and pharmacy interns' authority to administer to persons ages three or older COVID-19 vaccinations and seasonal influenza vaccines will continue until December 2024, pharmacy personnel's authority to administer other ACIP-recommended vaccines to persons ages three through 18 ended on May 11, 2023. HB 471 makes part of this temporary federal authority permanent under pharmacists', pharmacy interns', and pharmacy technicians' state scope of practice by maintaining access to vaccinations for patients aged seven years or older. HB 471 is vital to minimize interruptions to patients' access to necessary vaccinations and ensure Louisiana can meet its public health needs.

For these reasons, we support HB 471 and respectfully request your "AYE" vote. If you have any questions or require additional information, please don't hesitate to contact E. Michael Murphy, PharmD, MBA, APhA Advisor for State Government Affairs by email at mmurphy@aphanet.org.

Sincerely,



Michael Baxter
Acting Head of Government Affairs
American Pharmacists Association

cc: Senator Regina Barrow, Vice Chair

² HHS. Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published March 17, 2020. Available at: <https://www.govinfo.gov/content/pkg/FR-2020-03-17/pdf/2020-05484.pdf>.

³ HHS. Third Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published August 24, 2020. Available at: <https://www.govinfo.gov/content/pkg/FR-2020-08-24/pdf/2020-18542.pdf>.

⁴ HHS. Fourth Amendment to the Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19 and Republication of the Declaration. Published December 9, 2020. Available at: <https://www.govinfo.gov/content/pkg/FR-2020-12-09/pdf/2020-26977.pdf>.

⁵ HHS. Eighth Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published August 4, 2021. Available at: <https://www.govinfo.gov/content/pkg/FR-2021-08-04/pdf/2021-16681.pdf>.

⁶ HHS. Tenth Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published January 7, 2022. Available at: <https://www.govinfo.gov/content/pkg/FR-2022-01-07/pdf/2022-00151.pdf>.

Senator Gerald Boudreaux
Senator Gary M. Carter Jr.
Senator Bob Hensgens
Senator W. Jay Luneau
Senator Patrick McMath
Senator Beth Mizell
Senator J. Rogers Pope