

Guidance on Eligible Personnel for Vaccines Administered in Pharmacies

As COVID vaccines are expected to become more widely available in April, Board staff has received questions regarding whether pharmacies can utilize other health care professionals to administer vaccines in their licensed pharmacy or licensed or approved mobile pharmacy (licensed pharmacy). In order to facilitate the administration of vaccines by pharmacies in accordance with public health authorities' guidance to widen out the administration of vaccines when available, the Board wanted to issue guidance to help pharmacies in assisting in this public health initiative and to remind them of their duties and obligations.

Personnel Able to Initiate COVID Vaccines in Pharmacies

A pharmacy administering COVID vaccines may utilize a pharmacist to initiate the vaccination process provided that the pharmacist has the training specified in Business & Professions Code section 4052.8. A pharmacy also may permit another health care provider to initiate the vaccine process provided that health care provider's normal scope of practice includes the ability to independently initiate the vaccine process, and subject to any applicable restrictions on their ability to initiate vaccines. The pharmacy is responsible for ensuring that health care professionals have the requisite licensing and/or training to independently initiate a vaccine.

Personnel Able to Administer Vaccines in Pharmacies

A licensed pharmacy may utilize the services of pharmacists, pharmacist interns and pharmacy technicians to administer COVID vaccines provided that such personnel has the appropriate hands-on training required under Business & Professions Code section 4052.8 or under DCA Waiver 20-103 Order Waiving Restrictions on Pharmacy Technicians Relating to Administering COVID Vaccines (https://www.dca.ca.gov/licensees/dca_20_103.pdf). The pharmacy utilizing such pharmacy personnel must ensure that they have the requisite training to administer vaccines and must maintain records related to the training and qualifications of such personnel.

A pharmacy also may permit other health care providers to administer vaccines in a pharmacy, subject to any applicable restrictions on their administration of vaccine, and provided that the health care provider's normal scope of practice includes the administration of vaccines and does not require supervision by a health care provider other than a pharmacist, unless the appropriate supervisory health care professional is also on site at the pharmacy.

Required Due Diligence on non-Pharmacy Health Care Personnel

A pharmacy utilizing other health care workers authorized in their normal scope of practice to initiate or administer vaccines also must ensure that such personnel have a current license to practice and meet the background requirements required of all pharmacy staff under all State and federal guidelines. The pharmacy must maintain documents demonstrating this due diligence. If a pharmacy utilizes a third-party agency to screen and hire such staff, the pharmacy must ensure that it can access such screening documents upon request and produce them if requested to do so. Pharmacies using third parties to screen such personnel must also retain copies of those contracts. Copies of such records must be maintained for a period of three years.

Supervision of Personnel Administering COVID Vaccines in Pharmacies

A pharmacy utilizing pharmacy technicians to administer vaccines must ensure that such pharmacy technicians are supervised only by a pharmacist and not another health care professional consistent with Business & Professions Code section 4115.

Pursuant to a waiver issued by the Board on January 27, 2021, intern pharmacists may be supervised by a pharmacist or other California-licensed physician and surgeon, nurse practitioner or physician assistant who are statutorily authorized to order and administer vaccines, supervise the performance of vaccinations, perform such vaccination duties as a part of their statutorily authorized scope of practice, and whose license is in good standing with the respective regulatory board. This waiver remains in effect until April 26, 2021, unless subsequently extended by the Board or authorized designee.

Reporting to the Immunization Registry

If vaccines are being administered at a licensed pharmacy, the pharmacy must comply with all CDC requirements, including reporting the vaccination of patients to the appropriate registry and providing patients with a vaccination card. During the pandemic, the Board has waived the requirement for pharmacies to provide documentation to the patient's primary care provider as required under Business and Professions Code section 4052.8(b)(3). The waiver of this requirement remains in effect through May 29, 2021, unless subsequently extended by the Board or authorized designee.

Recordkeeping

Pharmacies that receive vaccines directly from the U.S. Government, the State of California or other county or local health agencies must comply with all

recordkeeping specified by any program from which they receive free COVID vaccines. The pharmacy must also comply with the recordkeeping requirements of Section 4052.8 (excluding documentation being sent to a patient's primary care provider) and the recordkeeping described in this guidance. Such documentation includes, at a minimum, records sufficient to demonstrate who initiated and administered a vaccine to a particular patient, compliance with the registry requirements and other documents mentioned in this guidance. Such records must be maintained for a period of three years.

By issuing this guidance the Board is not expanding the scope of practice of any health care provider but explaining its view on pharmacy law as codified in statute, regulation, and as modified by Board or Department of Consumer Affairs waivers to respond to the COVID-19 public health emergency.

Release Date: March 30, 2021