

SENATE HEALTH & WELFARE COMMITTEE
Wednesday, February 17, 2016

ATTACHMENT 1

330.PHARMACIST: ADMINISTERED IMMUNIZATIONS.

02. Pharmacist Qualifications. To qualify to administer immunizations, a pharmacist must first: (3-21-12) a. Successfully complete an ACPE-accredited or comparable course that meets the standards for pediatric, adolescent, and adult immunization practices recommended and approved by the CDC's Advisory Committee on Immunization Practices and includes at least the following: (3-21-12) i. Basic immunology, vaccine, and immunization protection; (3-21-12) ii. Diseases that may be prevented by vaccination or immunization; (3-21-12) iii. Current recommended immunization schedules; (3-21-12) iv. Vaccine and immunization storage and management; (3-21-12) v. **Informed consent**; (3-21-12) vi. Physiology and techniques for administration of immunizations; (3-21-12) vii. Pre-immunization and post-immunization assessment and counseling; (3-21-12) viii. Immunization reporting and records management; and (3-21-12) ix. Identification response, documentation, and reporting of adverse events. (3-21-12)

09. Recordkeeping. For each administered immunization, the following information must be collected and maintained in the patient profile: (3-21-12) a. The patient's name, address, date of birth, and known allergies; (3-21-12) b. The date of administration; (3-21-12) c. The product name, manufacturer, dose, lot number, and expiration date of the vaccine; (3-21-12) d. Documentation identifying the VIS provided; (3-21-12) e. The site and route of administration and, if applicable, the dose in a series (e.g. one (1) of three (3)); (3-21-12) f. The name of the patient's healthcare provider, if any; (3-21-12) g. The name of the immunizing pharmacist and of the student pharmacist, if any; (3-21-12) h. Adverse events observed or reported, if any, and documentation including at least the dates of any subsequent required reporting; and (3-21-12) i. **Completed informed consent forms.** (3-21-12)

TITLE 39
HEALTH AND SAFETY
CHAPTER 48
IMMUNIZATION

39-4804. NOTIFICATION TO PARENT OR GUARDIAN. (1) Before an immunization is administered to any child in this state, the parent or guardian of the child shall be notified that:

(a) Immunizations are not mandatory and may be refused on religious or other grounds;

(b) Participation in the immunization registry is voluntary;

(c) The parent or guardian is entitled to an accurate explanation of the complications known to follow such immunization.

(2) At the time information is initially collected regarding any child for entry into the registry created pursuant to this chapter, the parent or guardian shall be notified that:

(a) They have the right under Idaho law to submit a statement pursuant to the provisions of sections 39-1118 and 39-4802, Idaho Code, which exempts them from any requirement to have information regarding the child entered into the registry;

(b) At any time they have the right to remove any information from the registry regarding the child; and

(c) Immunizations are not mandatory and may be refused on religious or other grounds.

(3) The decision of a parent or guardian to:

(a) Submit a statement pursuant to the provisions of either section 39-1118(2) or 39-4802(2), Idaho Code;

(b) Remove any information regarding the child from the registry pursuant to the provisions of section 39-4803(4), Idaho Code; or

(c) Refuse the immunization on religious or other grounds;

shall not be used in any manner against the interests of the parent or guardian in any administrative, civil or criminal action.

History:

[39-4804, added 1999, ch. 347, sec. 3, p. 930; am. 2010, ch. 336, sec. 2, p. 890.]

TITLE 39
HEALTH AND SAFETY
CHAPTER 45

THE MEDICAL CONSENT AND NATURAL DEATH ACT

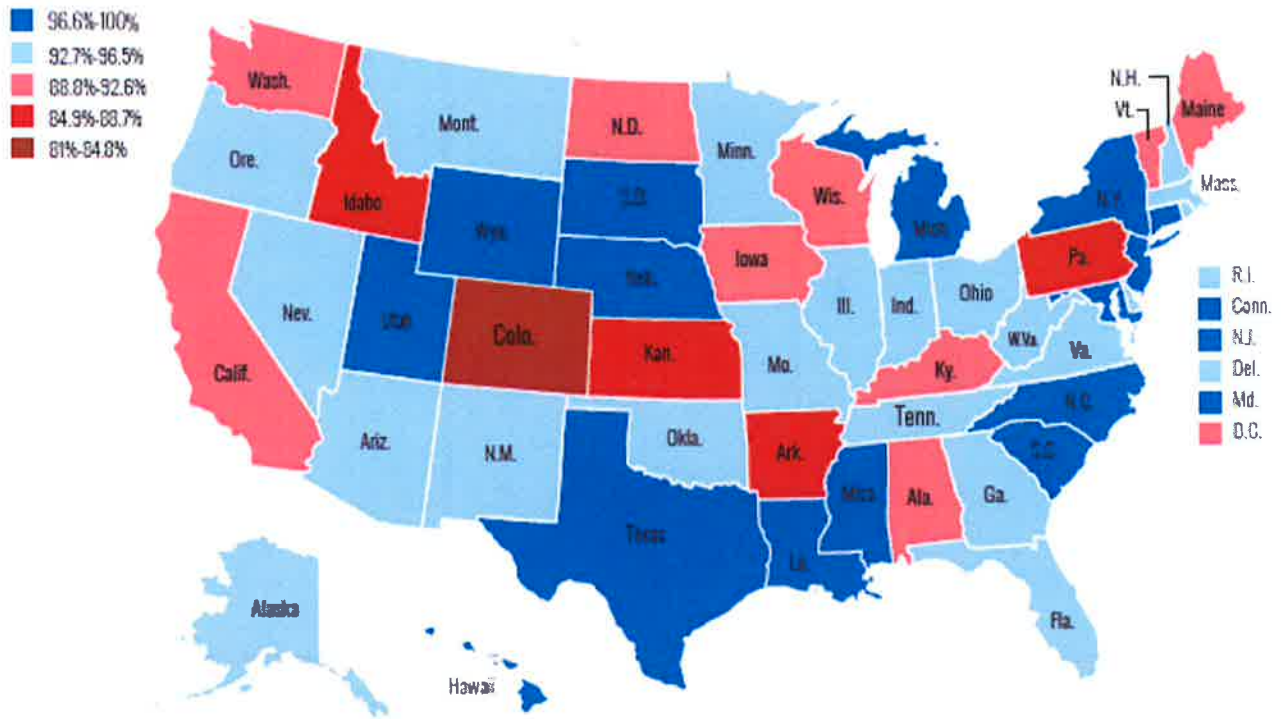
39-4504. PERSONS WHO MAY GIVE CONSENT TO CARE FOR OTHERS. (1) Consent for the furnishing of hospital, medical, dental, surgical or other health care, treatment or procedures to any person who is not then capable of giving such consent as provided in this chapter or who is a minor may be given or refused in the order of priority set forth hereafter; provided however, that the surrogate decision maker shall have sufficient comprehension as required to consent to his or her own health care pursuant to the provisions of section 39-4503, Idaho Code; and provided further that the surrogate decision maker shall not have authority to consent to or refuse health care contrary to such person's advance directives, POST or wishes expressed by such person while the person was capable of consenting to his or her own health care:

- (a) The court appointed guardian of such person;
 - (b) The person named in another person's "Living Will and Durable Power of Attorney for Health Care" pursuant to section 39-4510, Idaho Code, or a similar document authorized by this chapter if the conditions in such living will for authorizing the agent to act have been satisfied;
 - (c) If married, the spouse of such person;
 - (d) An adult child of such person;
 - (e) A parent of such person;
 - (f) The person named in a delegation of parental authority executed pursuant to section 15-5-104, Idaho Code;
 - (g) Any relative of such person who represents himself or herself to be an appropriate, responsible person to act under the circumstances;
 - (h) Any other competent individual representing himself or herself to be responsible for the health care of such person; or
 - (i) If the person presents a medical emergency or there is a substantial likelihood of his or her life or health being seriously endangered by withholding or delay in the rendering of such hospital, medical, dental, surgical or other health care to such person and the person has not communicated and is unable to communicate his or her treatment wishes, the attending health care provider may, in his or her discretion, authorize and/or provide such health care, as he or she deems appropriate, and all persons, agencies and institutions thereafter furnishing the same, including such health care provider, may proceed as if informed, valid consent therefor had been otherwise duly given.
- (2) No person who, in good faith, gives consent or authorization for the provision of hospital, medical, dental, surgical or other health care, treatment or procedures to another person as provided by this chapter shall be subject to civil liability therefor.
- (3) No health care provider who, in good faith, obtains consent from a person pursuant to either section 39-4503 or 39-4504(1), Idaho Code, shall be subject to civil liability therefor.

History:

[(39-4504) 39-4503, added 2005, ch. 120, sec. 2, p. 381; am. and redesign. 2007, ch. 196, sec. 4, p. 581; am. 2012, ch. 302, sec. 4, p. 827.]

Percentage of kindergartners vaccinated by state, 2013-2014 school year



Note: Data for Wyoming is from the 2012-13 school year.
 Source: Centers for Disease Control and Prevention