

## SUMMARY OF AUTHORITIES FOR PHARMACISTS TO ADMINISTER COVID-19 VACCINE

There are 4 provisions that exist under state and federal law for pharmacists to administer vaccine to those over 18 years of age. For those that are under 18 years of age, there are 3 provisions. See specific information below:

1. The Secretary of HHS issuance of the Public Readiness and Emergency Preparedness (PREP) Act Declaration authorizes licensed pharmacists to order and administer, and registered qualified pharmacy interns and pharmacy technicians acting under the supervision of the qualified pharmacist to administer, to persons ages three or older. The [PREP Act Declaration](#) will last through (a) the final day the Declaration is in effect, or (b) October 1, 2024, whichever occurs first. The PREP Act preemption provision includes requirements such as additional training, CPR certification, recordkeeping and documentation, and reporting. More information may be found in a [Virginia Board of Pharmacy document](#). Pharmacists must also follow Virginia Department of Medical Assistance Services (DMAS) provider enrollment requirements.

2. [Standing Order issued by Health Commissioner](#)

Sections 32.1-42.1 and 54.1-3408 (P) of the Code of Virginia permit the State Health Commissioner to authorize additional persons to administer and dispense drugs when the United States Secretary of Health and Human Services (HHS) has issued a declaration of a public health emergency (PHE). The Secretary of HHS has declared a PHE for COVID-19, under section 319 of the Public Health Service Act (42 U.S.C. §247d). The PHE for COVID-19 was originally declared on January 31, 2020 and has been renewed every 90 days since. The current PHE was renewed effective October 13, 2022 and will be in effect for 90 days. Pursuant to Va. Code § 32.1-42.1, the State Health Commissioner has authorized licensed pharmacists, and pharmacy technicians and pharmacy interns who have satisfied the requirements of the PREP Act and the CDC/ACIP guidelines and acting under the supervision of a pharmacist to administer vaccines to patients ages 3 and older. As the COVID-19 vaccine recommendations are updated, the Health Commissioner has the ability to modify the standing order.

3. Board of Nursing-approved protocol for those 18 years or older

54.1-3408 (I) of the Code of Virginia authorizes pharmacists to administer vaccines to **adults** pursuant to a Board of Nursing-approved protocol.

4. Patient-specific prescription issued by a prescriber

Virginia law authorizes a pharmacist to administer a vaccine or drug to any person pursuant to a patient-specific prescription issued by a prescriber and directing the pharmacist to administer such vaccine or drug. The Virginia Department of Health is not in a position to offer further guidance or interpretation of Virginia law.