

June 2021 Draft

**CHAPTER 61-04-11
ADMINISTRATION OF MEDICATIONS AND IMMUNIZATIONS**

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61-04-11-01. Definitions.

For purposes of this chapter:

1. "Authorized pharmacist" means a pharmacist who has successfully completed an appropriate study or training pertaining to the administration of drugs and maintains continuing competency according to the standard of care.
2. "Qualified Pharmacy Technician" means a registered pharmacy technician who has successfully completed an appropriate study or training pertaining to the administration of injections and maintains continuing competency.
3. "Authority" means designation on an active pharmacist license that a pharmacist is providing administrations and has attested the pharmacist is knowledgeable about and meet the requirements in North Dakota Century Code section 43-15-31.5 and this chapter.
4. "Written protocol" means a standing medical order between a duly licensed practitioner and an authorized pharmacist which contains information required by board rules.

History: Effective May 1, 2002; amended effective April 1, 2020.

General Authority: NDCC 43-15-10

Law Implemented: NDCC 43-15-10, 43-15-31.5

61-04-11-02. Qualifications established to obtain authority.

A pharmacist must attest to possessing the following qualifications in order to obtain authority from the board:

1. Obtain and maintain a license to practice pharmacy issued by the North Dakota state board of pharmacy;
2. Successfully complete the educational requirements set forth in North Dakota Century Code section 43-15-31.5 according to the administrations that a pharmacist intends to perform. The educational requirements may be obtained through the pharmacist's accreditation council for pharmacy education accredited doctor of pharmacy program in which the pharmacist is or will complete. Educational requirements also may be obtained through training received after graduation and should be sufficient to ensure any intended administrations can be provided competently to meet the standard of care;
3. Obtain and maintain current certification in cardiopulmonary resuscitation or basic cardiac life support;
4. Complete an attestation process adopted by the board and, upon any request, provide required documentation; and
5. Maintain continuing competency to retain the authority according to the pharmacist's standard of care.

History: Effective May 1, 2002; amended effective April 1, 2020.

General Authority: NDCC 43-15-10

Law Implemented: NDCC 43-15-10, 43-15-31.5

61-04-11-03. Procedures to obtain certificate of authority.

Repealed effective April 1, 2020.

61-04-11-04. Requirements of practitioner order for a pharmacist to administer injections.

The order must be written, received electronically or if received orally be reduced to writing, and must contain at a minimum the:

1. Identity of the practitioner issuing the order;
2. Identity of the patient to receive the injection;
3. Identity of the medication or vaccine, and dose, to be administered; and
4. Date of the original order and the dates or schedule, if any, of each subsequent administration.

History: Effective May 1, 2002; amended effective January 1, 2005; April 1, 2020.

General Authority: NDCC 43-15-10

Law Implemented: NDCC 43-15-10, 43-15-31.5

61-04-11-05. Requirements of written protocol.

A practitioner may prepare a written protocol governing the administration of medications with an authorized pharmacist for a specific period of time or purpose. The written protocol may be valid for a time period not to exceed two years, subject to earlier withdrawal by the practitioner.

The protocol must contain the:

1. Identity of the participating practitioner and the pharmacist;
2. Identity of the drug which may be administered;
3. Identity of the patient or groups of patients to receive the authorized drug;
4. Identity of the authorized routes and sites of administration allowed;
5. Identity of the course of action the pharmacist shall follow in the case of reactions following administration;
6. Recordkeeping requirements and procedures for notification of administration.

History: Effective May 1, 2002; amended effective April 1, 2020.

General Authority: NDCC 43-15-10

Law Implemented: NDCC 43-15-10, 43-15-31.5

61-04-11-06. Requirements of records and notifications.

A pharmacist administering shall meet the following recordkeeping and notification requirements:

1. Notification of administration must be made to the ordering physician or nurse practitioner and other authorities as required by law and rule. Notification may be through inclusion of the record in the patient's medical record or by submission to the immunization information system.
 - a. When administration has occurred pursuant to an order, the pharmacist shall notify the ordering physician or nurse practitioner within forty-eight hours of the identity of the patient, identity of the medication or vaccine administered, route of administration site of the administration, dose administered, and date of administration and the disposition of any adverse events or reactions experienced by the patient.
 - b. When administration has occurred pursuant to a written protocol, the pharmacist shall notify the participating physician or nurse practitioner within fourteen days of the identity of the patient, identity of the medication or vaccine administered, site of the administration,

dose administered, and date of administration and the disposition of any adverse events or reactions experienced by the patient.

- c. In the case of immunizations and vaccinations, the pharmacist shall also provide notification to the physician or nurse practitioner of the manufacturer and lot number of the product administered.
2. Every record, including notification, which is required to be made under this section, must be kept by the administering pharmacist and by the pharmacy when in legal possession of the drugs administered for at least two years from the date of administration. Records of administration must contain all information required in subsection 1, plus the name of the ordering physician or nurse practitioner. Records of administration by order must be by patient name and, in the case of administration by written protocol, records may be maintained in roster form.

History: Effective May 1, 2002; amended effective April 1, 2020.

General Authority: NDCC 43-15-10

Law Implemented: NDCC 43-15-10, 43-15-31.5

61-04-11-07. Location of administration by injection.

Pharmacists may administer medications at any location within North Dakota or may be limited to those specifically identified in a written protocol. The location must:

1. Ensure privacy;
2. Be maintained to promote an aseptic environment;
3. Have adequate telecommunications devices to summon aid and communicate emergency situations; and
4. Have adequate equipment and supplies to respond to adverse events and emergency situations.

History: Effective May 1, 2002; amended effective April 1, 2020.

General Authority: NDCC 43-15-10

Law Implemented: NDCC 43-15-10, 43-15-31.5

61-04-11-08. Policy and procedural manual.

The pharmacy shall maintain a policy and procedural manual, with a section related to the administration of medications, in compliance with section 61-02-01-18.

History: Effective May 1, 2002; amended effective October 1, 2014; April 1, 2020.

General Authority: NDCC 43-15-10

Law Implemented: NDCC 43-15-10, 43-15-31.5

61-04-11-09. Qualified pharmacy technician administration of medications

An authorized pharmacist may delegate the administration of a subcutaneous or intramuscular injectable medication to a qualified pharmacy technician given the following:

1. The medication administration has been ordered by the supervising authorized pharmacist and the pharmacist is readily and immediately available to the qualified pharmacy technician.
2. The qualified technician has completed a practical training program that is accredited by an Accreditation Council for Pharmacy Education (ACPE) provider. This training program must include hands on injection technique and the recognition and treatment of emergency reactions to vaccines.
3. The qualified technician maintains a continuing competency on injections of medications which are expected to be performed.

4. The qualified technician has and maintains a current certification in cardiopulmonary resuscitation or basic cardiac life support.
5. The authorized pharmacist maintains the responsibility for all administrations which are delegated to a qualified pharmacy technician. This involves but is not limited to recordkeeping, adverse event reporting, and ensuring the pharmacy technician remains qualified.

History: Effective October 1, 2021

General Authority: NDCC 43-15-10

Law Implemented: NDCC 43-15-10, 43-15-31.5