

TO: Senator Patrick, Representative Herbig and Members of the Joint
Standing Committee on Labor, Commerce, Research and Development

FROM: Debra Hart, President
Hart Public Policy, Inc.

DATE: February 19, 2013

RE: L.D. 148, AN ACT TO AMEND THE LAWS GOVERNING DRUGS
AND VACCINES ADMINISTERED BY PHARMACISTS

Senator Patrick, Representative Herbig and Members of the Joint Standing Committee on
Labor, Commerce, Research and Development.

My name is Debra Hart. I own Hart Public Policy and I am submitting this testimony on behalf of my client, the Retail Association of Maine, which was formerly known as the Maine Merchants Association, in support of LD 148. The Retail Association of Maine has a Community Pharmacy Group whose members include all of the chain pharmacies operating in Maine and a number of independent pharmacies located throughout the State from Kittery to Fort Kent. Their primary focus is pharmacy and health-related issues. Many of these pharmacies serve Maine citizens who live in very rural areas of the State and as such are an important source of health related care.

Four years ago, Maine became the last State to allow pharmacists to administer vaccines, and we started that effort with flu shots and five other immunizations. Several years later, we expanded those immunizations to all CDC approved vaccines. The response has been encouraging and expanding. Getting a vaccination in a pharmacy setting is convenient for busy people shift workers, college students, and the elderly especially since pharmacies are open in the evenings and on weekends. And please keep in mind that we do transmit the appropriate information to a primary care physician, if a patient has one, or according to a protocol in the absence of a PCP.

Quite frankly, the delivery of health care is evolving, and that goes for pharmacy as well as any other health care provider. To that end, I have attached a document that shows what different States do by way of immunizations, and as you can see, there are a variety of immunizations that can be administered and at what age. Recent outbreaks of whooping cough and meningococcal are perfect examples of events where pharmacies in other states have played a critical role in ensuring those most vulnerable, who may not otherwise have a primary care provider, might benefit from getting a vaccination. Pharmacists are a critical member of the health care community and are trained to administer vaccinations to patients. The past four years have shown that Maine citizens

appreciate the flexibility of pharmacist-administered immunizations. This legislation is just an expansion of a practice that is already in place.

There are others who will follow that can provide more specifics and I will defer the tough questions to them. The Community Pharmacies I represent are not interested in supplanting the care you receive at your primary health care setting; this is just one more option for Maine citizens to access a health care option in a convenient location with qualified personnel.

I'd be happy to answer any questions you may have.

State Prescription Requirements and Age Restrictions for Immunizations Given by Pharmacists

State	Influenza	Pneumococcal	Shingles/herpes zoster /Zostavax ¹	Other Immunizations
Alabama	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	No	No	--	
Alaska	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	No	No	--	
Arizona	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	17 yrs and younger must have Rx; Rx not required for 18 yrs and older	No	
Age Limit	6 yrs or older	6 yrs or older	--	
Arkansas	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	17 yrs and younger must have Rx; Rx not required for 18 yrs and older	No	
Age Limit	7 yrs or older	7 yrs or older	--	
California	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	No	No	--	
Colorado	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	No	No	--	
Connecticut	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	18 yrs or older	18 yrs or older	--	
District of Columbia	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	--	
Age Limit	11 yrs or younger must have "doctor referral"; otherwise, 12 yrs and older	11 yrs or younger must have "doctor referral"; otherwise, 12 yrs and older	--	
Delaware	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	18 yrs or older	18 yrs or older		
Florida	Yes	Yes	Yes	No
Rx Required	No	No	Yes	
Age Limit	18 yrs or older	18 yrs or older	--	

¹ The herpes zoster vaccine is labeled by FDA for administration to patients 50 years and older; however, CDC guidelines recommend administration to patients 60 years and older.

State Prescription Requirements and Age Restrictions for Immunizations Given by Pharmacists

State	Influenza	Pneumococcal	Shingles/herpes zoster /Zostavax ¹	Other Immunizations
Georgia	Yes	No	No	No
Rx Required	12 yrs and younger must have Rx; Rx not required for 13 yrs and older	--	--	
Age Limit	No	--	--	
Hawaii	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	14 years or older	18 yrs or older	--	
Idaho	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	12 yrs or older	12 yrs or older	--	
Illinois	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	14 yrs or older	14 yrs or older	--	
Indiana	Yes	No	Yes	No
Rx Required	No	--	No	
Age Limit	14 yrs old or older	--	--	
Iowa	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	Yes	
Age Limit	18 yrs or older	18 yrs or older	--	
Kansas	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	6 yrs or older	18 yrs or older	--	
Kentucky	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	9 yrs or older	12 yrs or older	--	
Louisiana	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	In some instances ²	In some instances ³	
Age Limit	7 yrs or older	16-18 yrs or older ⁴	50-60 years or older ⁵	
Maine	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	In some instances ⁶	In some instances ⁷	
Age Limit	9 yrs or older	16-18 yrs or older	--	
Maryland	Yes	Yes	Yes	No

^{2,3} Prescriptions not required in parishes designated as a primary care health professional shortage area

⁴ Individuals 16-17 years old may obtain pneumococcal vaccine from pharmacist in parishes designated as a primary care health professional shortage area; others must be 18 years or older

⁵ Individuals 50 years or older may obtain pneumococcal vaccine from pharmacist in parishes designated as a primary care health professional shortage area; others must be 60 years or older

^{6,7} When patient does not have existing relationship with a primary care physician or other practitioner, authorized pharmacist may administer according to a treatment protocol, and in such instances, a patients is not required to present a prescription. Otherwise, a prescription is required.

State Prescription Requirements and Age Restrictions for Immunizations Given by Pharmacists

State	Influenza	Pneumococcal	Shingles/herpes zoster /Zostavax ¹	Other Immunizations
Rx Required	No	Yes	Yes	
Age Limit	9 yrs or older	18 yrs or older	--	
Massachusetts	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	18 yrs or older	18 yrs or older	18 yrs or older	
Michigan	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	No	No	--	
Minnesota	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	10 yrs or older	18 yrs or older	--	
Mississippi	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	5 yrs or older	5 yrs or older	--	
Missouri	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	12 yrs or older	12 yrs or older	--	
Montana	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	18 yrs or older	18 yrs or older	--	
Nebraska	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	No	No	--	
Nevada	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	No	No	--	
New Hampshire	Yes	Yes	Yes	
Rx Required	No	No	No	No
Age Limit	No	18 yrs or older	--	
New Jersey	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	18 yrs or older	18 yrs or older	--	
New Mexico	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	No	No	--	
New York	Yes	Yes	Yes	
Rx Required	No	No	Yes	No
Age Limit	18 yrs or older	18 yrs or older	--	
North Carolina	Yes	Yes	Yes	

State Prescription Requirements and Age Restrictions for Immunizations Given by Pharmacists

State	Influenza	Pneumococcal	Shingles/herpes zoster /Zostavax ¹	Other Immunizations
Rx Required	No	No ⁸	No ⁹	
Age Limit	14 yrs or older	18 yrs or older	--	
North Dakota	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	5 yrs or older	11 yrs or older	--	
Ohio	Yes	Yes	Yes	
Rx Required	No	No	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	14 yrs or older	14 yrs or older	--	
Oklahoma	Yes	Yes	Yes	
Rx Required	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	No	No	--	
Oregon	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	11 yrs or older	11 yrs or older	--	
Pennsylvania	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	18 yrs or older	18 yrs or older	--	
Rhode Island	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	9 yrs or older	18 yrs or older	--	
South Carolina	Yes	Yes	Yes	
Rx Required	No	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	18 yrs or older	No	--	
South Dakota	Yes	Yes	Yes	
Rx Required	No	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	18 yrs or older	18 yrs or older	--	
Tennessee	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	No	No	--	
Texas	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	7 yrs or older ¹⁰	14 yrs or older	--	
Utah	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at your pharmacy
Age Limit	No	No	--	
Vermont	Yes	Yes	Yes	
Rx Required	No	No	No	Ask your pharmacist about other vaccines that may be available at

^{8,9} Pharmacist must first consult with patient's primary care provider before administration. In the event patient does not have primary care provider, a pharmacist may not administer a vaccines for pneumococcal or herpes zoster.

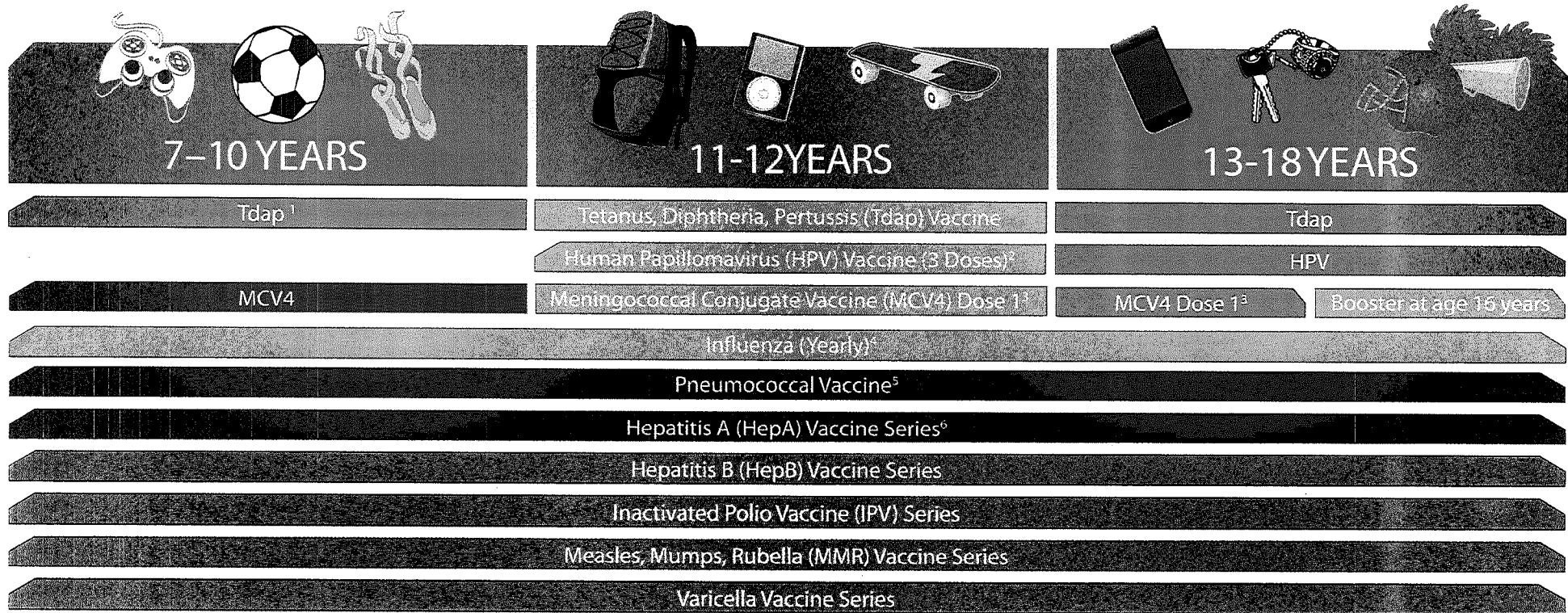
¹⁰ Patients 7-13 yrs who have an established physician-patient relationship must be referred to pharmacist for flu vaccine. Patients 7-13 yrs without an physician-patient relationship may receive flu vaccine from physician without referral.

State Prescription Requirements and Age Restrictions for Immunizations Given by Pharmacists

State	Influenza	Pneumococcal	Shingles/herpes zoster // Zostavax ¹	Other Immunizations
Age Limit	18 yrs or older	18 yrs or older	--	your pharmacy
Virginia	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	No	18 yrs or older	--	
Washington	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	No	No	--	
West Virginia	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	18 yrs or older	18 yrs or older	18 years or older	
Wisconsin	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	No	No	No	
Age Limit	6 yrs or older	6 yrs or older	--	
Wyoming	Yes	Yes	Yes	Ask your pharmacist about other vaccines that may be available at your pharmacy
Rx Required	In some instances ¹¹	In some instances ¹²	In some instances ¹³	
Age Limit	19 yrs or older	19 yrs or older	--	

^{11, 12, 13} Individuals deemed "high risk" must have prescription from their physician. "High risk" individuals are those who may have an absolute or relative contraindication to receive immunizations.

2013 Recommended Immunizations for Children from 7 Through 18 Years Old



These shaded boxes indicate when the vaccine is recommended for all children unless your doctor tells you that your child cannot safely receive the vaccine.

These shaded boxes indicate the vaccine should be given if a child is catching-up on missed vaccines.

These shaded boxes indicate the vaccine is recommended for children with certain health conditions that put them at high risk for serious diseases. Note that healthy children **can** get the HepA series⁶. See vaccine-specific recommendations at www.cdc.gov/vaccines/pubs/ACIP-list.htm.

FOOTNOTES

¹ Tdap vaccine is combination vaccine that is recommended at age 11 or 12 to protect against tetanus, diphtheria and pertussis. If your child has not received any or all of the DTaP vaccine series, or if you don't know if your child has received these shots, your child needs a single dose of Tdap when they are 7-10 years old. Talk to your child's health care provider to find out if they need additional catch-up vaccines.

² All 11 or 12 year olds – both girls and boys – should receive 3 doses of HPV vaccine to protect against HPV-related disease. Either HPV vaccine (Cervarix® or Gardasil®) can be given to girls and young women; only one HPV vaccine (Gardasil®) can be given to boys and young men.

³ Meningococcal conjugate vaccine (MCV) is recommended at age 11 or 12. A booster shot is recommended at age 16. Teens who received MCV for the first time at age 13 through 15 years will need a one-time booster dose between the ages of 16 and 18 years. If your teenager missed getting the vaccine altogether, ask their health care provider about getting it now, especially if your teenager is about to move into a college dorm or military barracks.

⁴ Everyone 6 months of age and older—including preteens and teens—should get a flu vaccine every year. Children under the age of 9 years may require more than one dose. Talk to your child's health care provider to find out if they need more than one dose.

⁵ A single dose of Pneumococcal Conjugate Vaccine (PCV13) is recommended for children who are 6-18 years old with certain medical conditions that place them at high risk. Talk to your healthcare provider about pneumococcal vaccine and what factors may place your child at high risk for pneumococcal disease.

⁶ Hepatitis A vaccination is recommended for older children with certain medical conditions that place them at high risk. HepA vaccine is licensed, safe, and effective for all children of all ages. Even if your child is not at high risk, you may decide you want your child protected against HepA. Talk to your healthcare provider about HepA vaccine and what factors may place your child at high risk for HepA.

For more information, call toll free 1-800-CDC-INFO (1-800-232-4636) or visit <http://www.cdc.gov/vaccines/teens>



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Vaccine-Preventable Diseases and the Vaccines that Prevent Them

Diphtheria (Can be prevented by Tdap vaccine)

Diphtheria is a very contagious bacterial disease that affects the respiratory system, including the lungs. Diphtheria bacteria can be passed from person to person by direct contact with droplets from an infected person's cough or sneeze. When people are infected, the diphtheria bacteria produce a toxin (poison) in the body that can cause weakness, sore throat, low-grade fever, and swollen glands in the neck. Effects from this toxin can also lead to swelling of the heart muscle and, in some cases, heart failure. In severe cases, the illness can cause coma, paralysis, and even death.

Hepatitis A (Can be prevented by HepA vaccine)

Hepatitis A is an infection in the liver caused by hepatitis A virus. The virus is spread primarily person-to-person through the fecal-oral route. In other words, the virus is taken in by mouth from contact with objects, food, or drinks contaminated by the feces (stool) of an infected person. Symptoms include fever, tiredness, loss of appetite, nausea, abdominal discomfort, dark urine, and jaundice (yellowing of the skin and eyes). An infected person may have no symptoms, may have mild illness for a week or two, or may have severe illness for several months that requires hospitalization. In the U.S., about 100 people a year die from hepatitis A.

Hepatitis B (Can be prevented by HepB vaccine)

Hepatitis B is an infection of the liver caused by hepatitis B virus. The virus spreads through exchange of blood or other body fluids, for example, from sharing personal items, such as razors or during sex. Hepatitis B causes a flu-like illness with loss of appetite, nausea, vomiting, rashes, joint pain, and jaundice. The virus stays in the liver of some people for the rest of their lives and can result in severe liver diseases, including fatal cancer.

Human Papillomavirus (Can be prevented by HPV vaccine)

Human papillomavirus is a common virus. HPV is most common in people in their teens and early 20s. It is the major cause of cervical cancer in women and genital warts in women and men. The strains of HPV that cause cervical cancer and genital warts are spread during sex.

Influenza (Can be prevented by annual flu vaccine)

Influenza is a highly contagious viral infection of the nose, throat, and lungs. The virus spreads easily through droplets when an infected person coughs or sneezes and can cause mild to severe illness. Typical symptoms include a sudden high fever, chills, a dry cough, headache, runny nose, sore throat, and muscle and joint pain. Extreme fatigue can last from several days to weeks. Influenza may lead to hospitalization or even death, even among previously healthy children.

Measles (Can be prevented by MMR vaccine)

Measles is one of the most contagious viral diseases. Measles virus is spread by direct contact with the airborne respiratory

droplets of an infected person. Measles is so contagious that just being in the same room after a person who has measles has already left can result in infection. Symptoms usually include a rash, fever, cough, and red, watery eyes. Fever can persist, rash can last for up to a week, and coughing can last about 10 days. Measles can also cause pneumonia, seizures, brain damage, or death.

Meningococcal Disease (Can be prevented by MCV vaccine)

Meningococcal disease is caused by bacteria and is a leading cause of bacterial meningitis (infection around the brain and spinal cord) in children. The bacteria are spread through the exchange of nose and throat droplets, such as when coughing, sneezing or kissing. Symptoms include nausea, vomiting, sensitivity to light, confusion and sleepiness. Meningococcal disease also causes blood infections. About one of every ten people who get the disease dies from it. Survivors of meningococcal disease may lose their arms or legs, become deaf, have problems with their nervous systems, become developmentally disabled, or suffer seizures or strokes.

Mumps (Can be prevented by MMR vaccine)

Mumps is an infectious disease caused by the mumps virus, which is spread in the air by a cough or sneeze from an infected person. A child can also get infected with mumps by coming in contact with a contaminated object, like a toy. The mumps virus causes fever, headaches, painful swelling of the salivary glands under the jaw, fever, muscle aches, tiredness, and loss of appetite. Severe complications for children who get mumps are uncommon, but can include meningitis (infection of the covering of the brain and spinal cord), encephalitis (inflammation of the brain), permanent hearing loss, or swelling of the testes, which rarely can lead to sterility in men.

Pertussis (Whooping Cough) (Can be prevented by Tdap vaccine)

Pertussis is caused by bacteria spread through direct contact with respiratory droplets when an infected person coughs or sneezes. In the beginning, symptoms of pertussis are similar to the common cold, including runny nose, sneezing, and cough. After 1-2 weeks, pertussis can cause spells of violent coughing and choking, making it hard to breathe, drink, or eat. This cough can last for weeks. Pertussis is most serious for babies, who can get pneumonia, have seizures, become brain damaged, or even die. About two-thirds of children under 1 year of age who get pertussis must be hospitalized.

Pneumococcal Disease

(Can be prevented by Pneumococcal vaccine)

Pneumonia is an infection of the lungs that can be caused by the bacteria called pneumococcus. This bacteria can cause other types of infections too, such as ear infections, sinus infections, meningitis (infection of the covering around the brain and spinal

cord), bacteremia and sepsis (blood stream infection). Sinus and ear infections are usually mild and are much more common than the more severe forms of pneumococcal disease. However, in some cases pneumococcal disease can be fatal or result in long-term problems, like brain damage, hearing loss and limb loss. Pneumococcal disease spreads when people cough or sneeze. Many people have the bacteria in their nose or throat at one time or another without being ill—this is known as being a carrier.

Polio (Can be prevented by IPV vaccine)

Polio is caused by a virus that lives in an infected person's throat and intestines. It spreads through contact with the feces (stool) of an infected person and through droplets from a sneeze or cough. Symptoms typically include sudden fever, sore throat, headache, muscle weakness, and pain. In about 1% of cases, polio can cause paralysis. Among those who are paralyzed, up to 5% of children may die because they become unable to breathe.

Rubella (German Measles) (Can be prevented by MMR vaccine)

Rubella is caused by a virus that is spread through coughing and sneezing. In children rubella usually causes a mild illness with fever, swollen glands, and a rash that lasts about 3 days. Rubella rarely causes serious illness or complications in children, but can be very serious to a baby in the womb. If a pregnant woman is infected, the result to the baby can be devastating, including miscarriage, serious heart defects, mental retardation and loss of hearing and eye sight.

Tetanus (Lockjaw) (Can be prevented by Tdap vaccine)

Tetanus is caused by bacteria found in soil. The bacteria enters the body through a wound, such as a deep cut. When people are infected, the bacteria produce a toxin (poison) in the body that causes serious, painful spasms and stiffness of all muscles in the body. This can lead to "locking" of the jaw so a person cannot open his or her mouth, swallow, or breathe. Complete recovery from tetanus can take months. Three of ten people who get tetanus die from the disease.

Varicella (Chickenpox) (Can be prevented by varicella vaccine)

Chickenpox is caused by the varicella zoster virus. Chickenpox is very contagious and spreads very easily from infected people. The virus can spread from either a cough, sneeze. It can also spread from the blisters on the skin, either by touching them or by breathing in these viral particles. Typical symptoms of chickenpox include an itchy rash with blisters, tiredness, headache and fever. Chickenpox is usually mild, but it can lead to severe skin infections, pneumonia, encephalitis (brain swelling), or even death.

If you have any questions about your child's vaccines, talk to your healthcare provider.