



February 25, 2024

[submitted electronically via: HouseHealthandHumanServices@rilegislature.gov]

The Honorable Susan R. Donovan
Chair, Rhode Island House Health and Human Services Committee
82 Smith Street
Providence, RI 02903

RE: H5427 (McGaw) – PHARMACIES (Includes the COVID-19 immunization under the consent and reporting provisions required for pharmacy administered immunizations to individuals between nine (9) and eighteen (18) years of age.) – SUPPORT WITH AMENDMENTS

Dear Chair Donovan, First Vice Chair Giraldo, Second Vice Chair Potter, and members of the House Health and Human Services Committee:

The American Pharmacists Association (APhA) appreciates the opportunity to provide comments on [House Bill \(H\) 5427](#) (Rep. McGaw), which will expand pharmacists' authority to administer influenza and COVID-19 immunizations to individuals aged nine (9) to eighteen (18). While this legislation is a good start and APhA commends the intent of this legislation, we firmly believe that H5427 needs strengthened to maintain Rhode Islanders' access to **all vaccinations for patients aged three (3) years and older**.

Rhode Island pharmacists, pharmacy technicians, and pharmacy interns under the supervision of a pharmacist have been administering vaccines for the past several years after the U.S. Department of Health and Human Services (HHS) issued a declaration under the PREP Act for

medical countermeasures against COVID-19¹ and then the Third,² Fourth,³ Eighth,⁴ Tenth,⁵ Eleventh,⁶ and Twelfth⁷ Amendments. HHS' declarations and amendments authorized the following:

- Pharmacists (order and administer) and pharmacy technicians and pharmacy interns under the supervision of a pharmacist, to administer to persons ages three (3) or older COVID-19 vaccinations and seasonal influenza vaccines that have been authorized or licensed by the Food and Drug Administration (FDA).
- Pharmacists (order and administer) and pharmacy technicians and pharmacy interns under the supervision of a pharmacist, to administer any vaccine that the Advisory Committee on Immunization Practices (ACIP) recommends to persons ages three through 18 according to ACIP's standard immunization schedule.

The federal authority under the PREP Act preempts state law, and Rhode Islanders have been receiving expanded access to vaccines their local pharmacy personnel provided for nearly five years. While pharmacists (order and administer) and pharmacy technicians' and pharmacy interns' authority to administer to persons ages three or older COVID-19 vaccinations and seasonal influenza vaccines will continue until December 2029, pharmacy personnel's authority to administer other ACIP-recommended vaccines to persons ages three through 18 ended on May 11, 2023. A recent study found there was no difference "of obtaining a timely well-child visit between those who received a routine pediatric vaccine in pharmacies and those who received one in primary care settings",⁸ which further demonstrates the benefit of increased access to preventive vaccines and health care for children.

¹ HHS. Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published March 17, 2020. Available at: <https://www.govinfo.gov/content/pkg/FR-2020-03-17/pdf/2020-05484.pdf>.

² HHS. Third Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published August 24, 2020. Available at: <https://www.govinfo.gov/content/pkg/FR-2020-08-24/pdf/2020-18542.pdf>.

³ HHS. Fourth Amendment to the Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19 and Republication of the Declaration. Published December 9, 2020. Available at: <https://www.govinfo.gov/content/pkg/FR-2020-12-09/pdf/2020-26977.pdf>.

⁴ HHS. Eighth Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published August 4, 2021. Available at: <https://www.govinfo.gov/content/pkg/FR-2021-08-04/pdf/2021-16681.pdf>.

⁵ HHS. Tenth Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published January 7, 2022. Available at: <https://www.govinfo.gov/content/pkg/FR-2022-01-07/pdf/2022-00151.pdf>.

⁶ HHS. Eleventh Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published May 12, 2023. Available at: <https://www.govinfo.gov/content/pkg/FR-2023-05-12/pdf/2023-10216.pdf>.

⁷ HHS. 12th Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published December 11, 2024. Available at: <https://www.govinfo.gov/content/pkg/FR-2024-12-11/pdf/2024-29108.pdf>.

⁸ Bhardwaj S, Galanter N, Bacci JL. Pediatric vaccination in pharmacies is not associated with delayed well-child visits among commercially insured children. *Health Affairs Scholar*, Volume 3, Issue 2, February 2025, qxaf028, <https://doi.org/10.1093/haschl/qxaf028>

APhA urges H5427 be amended to allow pharmacists to continue to administer all vaccines to patients aged 3 years old and older. With these amendments, H5427 will minimize interruptions to patients' access to necessary vaccinations, ensure Rhode Island can meet its public health needs, and save millions in preventable health care costs to the families of Rhode Islanders.

For these reasons, APhA urges the committee to amend H5427 to ensure Rhode Islanders access to vaccines is not interrupted. If you have any questions or require additional information, please don't hesitate to contact E. Michael Murphy, PharmD, MBA, APhA Senior Advisor for State Government Affairs, by email at mmurphy@aphanet.org.

Sincerely,



Michael Baxter
Vice President, Government Affairs

cc: Representative Joshua J. Giraldo
Representative Brandon C. Potter
Representative Mia A. Ackerman
Representative David A. Bennett
Representative Jennifer Boylan
Representative Megan L. Cotter
Representative Kathleen A. Fogarty
Representative Arthur Handy
Representative Marie A. Hopkins
Representative Rebecca M. Kislak
Representative Michelle E. McGaw
Representative David J. Place
Representative June Speakman
Representative Jennifer A. Stewart

About APhA: APhA is the largest association of pharmacists in the United States advancing the entire pharmacy profession. APhA represents pharmacists in all practice settings, including community pharmacies, hospitals, long-term care facilities, specialty pharmacies, community health centers, physician offices, ambulatory clinics, managed care organizations, hospice settings, and government facilities. Our members strive to improve medication use, advance patient care and enhance public health. **In Rhode Island, with 1,170 licensed pharmacists and 1,590 pharmacy technicians, APhA represents the pharmacists and student pharmacists that practice in numerous settings and provide care to many of your constituents.** As the voice of pharmacy, APhA leads the profession and equips members for their role as the medication expert

in team-based, patient-centered care. APhA inspires, innovates, and creates opportunities for members and pharmacists worldwide to optimize medication use and health for all.