

ORIGINAL SENATE
FILE NO. SF0024

ENROLLED ACT NO. 5, SENATE

SIXTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2022 BUDGET SESSION

AN ACT relating to professions and occupations; authorizing the administration of immunizations by pharmacy technicians and pharmacy interns; repealing the requirements for direct supervision of a pharmacy technician or a pharmacy intern by a licensed pharmacist; making conforming amendments; requiring rulemaking; and providing for effective dates.

Be It Enacted by the Legislature of the State of Wyoming:

Section 1. W.S. 33-24-151(a), 33-24-155(b), 33-24-157 by creating a new subsection (d) and 33-24-301(b)(iii), (c), (d) and (g)(iii) are amended to read:

33-24-151. Substitution not considered practice of medicine; individual causes of action.

(a) The substitution of any dangerous substance by a registered pharmacist or a registered pharmacy intern under his ~~direct~~ supervision does not under this act constitute the practice of medicine.

33-24-155. Reports required to state health officer.

(b) Pursuant to department of health rule and regulation, there may be a review of medical records by the state health officer, his designee or their designated health care representative who shall be under the ~~direct~~ supervision of the state health officer or his designee to confirm diagnosis, investigate causes or identify other cases of disease conditions in a region, community or workplace in the state to determine if proper measures have been taken to protect the public health and safety. Notwithstanding any other provision of law, the review of records during a public health emergency or disease outbreak may occur without patient consent, but shall be

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kept confidential and shall be restricted to information necessary for the control, investigation and prevention of any disease condition dangerous to the public health. Any person who receives medical information under this subsection shall not disclose that information for any other purpose than the investigation and any disease control effort. Any violation of this subsection is a misdemeanor punishable by imprisonment for not more than six (6) months, a fine of not more than one thousand dollars (\$1,000.00), or both.

33-24-157. Immunization administration.

(d) A pharmacy technician or pharmacy intern licensed under this act shall only administer immunizations under the supervision of a pharmacist licensed under this act. A pharmacy technician or pharmacy intern who intends to administer immunizations shall register with the board, but nothing in this subsection shall be deemed to require any pharmacy technician to administer immunizations to individuals who are less than thirteen (13) years of age. No employer shall discriminate against a pharmacy technician on the basis that the pharmacy technician determines not to administer immunizations to individuals who are less than thirteen (13) years of age.

33-24-301. Pharmacy technicians; licensing; definitions; revocation or suspension of license; letter of admonition; information required for background checks.

(b) As used in this section:

(iii) "Pharmacy technician" means an individual other than an intern, who performs pharmacy functions under the ~~direct~~ supervision of a licensed pharmacist.

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(c) A pharmacy technician shall not perform pharmacy functions unless under the ~~direct~~-supervision of a licensed pharmacist.

(d) A licensed pharmacist shall be jointly responsible and liable for the actions of a pharmacy technician when ~~direct~~-supervision is required.

(g) The board shall promulgate reasonable rules and regulations necessary to carry out the purposes of this section including, but not limited to:

(iii) Requirements for ~~direct~~-supervision by licensed pharmacists.

Section 2. W.S. 33-24-101(b)(i) and 33-24-301(b)(i) are repealed.

Section 3. The state board of pharmacy shall promulgate rules and regulations necessary to implement this act on or before July 1, 2022.

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Section 4.

(a) Except as provided in subsection (b) of this section, this act is effective July 1, 2022.

(b) Sections 3 and 4 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk