NCPA Member Summary of Third Amendment to the
Public Readiness and Emergency Preparedness (PREP) Act

This is NCPA’s summary of the August 19, 2020 announcement by the Department of Health and Human Services (HHS) that allows pharmacists to administer childhood vaccines during the COVID-19 public health emergency (PHE) through an amendment to the Declaration under the PREP Act for Medical Countermeasures Against COVID-19.

During the COVID-19 PHE, state-licensed pharmacists are now authorized under the PREP Act to order and administer vaccines to individuals ages three through 18 years.

Similarly, pharmacy interns licensed or registered by their State board of pharmacy acting under the supervision of a State-licensed pharmacist may also administer vaccines during the COVID-19 PHE.

This amendment to the PREP Act declaration preempts any state or local legal requirement that prohibits pharmacists from ordering and administering childhood vaccines.¹

In response to requests from NCPA and other pharmacy associations, HHS released a third amendment to the February 4, 2020 PREP Act Declaration that authorizes—during the COVID-19 PHE—State-licensed pharmacists (and pharmacy interns acting under their supervision to administer vaccines, if the pharmacy intern is licensed or registered by their State board of pharmacy) to order and administer vaccines to individuals ages three through 18 years, subject to the following requirements:

- The vaccine must be approved or licensed by the Food and Drug Administration (FDA).
- The vaccination must be ordered and administered according to the Centers for Disease Control and Prevention (CDC) Advisory Committee on Immunization Practices (ACIP) immunization schedules.
- The licensed pharmacist must complete a practical training program of at least 20 hours that is approved by the Accreditation Council for Pharmacy Education (ACPE), which must include hands-on injection technique, clinical evaluation of indications and contraindications of vaccines, and recognition and treatment of emergency reactions to vaccines.
- The licensed or registered pharmacy intern must complete a practical training program that is approved by the ACPE. This training program must include hands-on injection technique, clinical evaluation of indications and contraindications of vaccines, and the recognition and treatment of emergency reactions to vaccines.
- The licensed pharmacist and licensed or registered pharmacy intern must have a current certificate in basic cardiopulmonary resuscitation (CPR).
- The licensed pharmacist must complete a minimum of two hours of ACPE-approved, immunization-related continuing pharmacy education during each State licensing period.

¹ See Advisory Opinion 20-02 on the Public Readiness and Emergency Preparedness Act and the Secretary’s Declaration under the Act, 3-5 (May 19, 2020), (setting forth PREP Act’s legal framework for identifying a pharmacist as a “qualified person” and preemption of state law that is different from, or is in conflict with, that designation and ordering and administering a covered countermeasure pursuant to the Secretary’s declaration).
• The licensed pharmacist must comply with recordkeeping and reporting requirements of the jurisdiction in which they administer vaccines, including informing the patient’s primary-care provider when available, submitting the required immunization information to the State or local immunization information system (vaccine registry), complying with requirements with respect to reporting adverse events, and complying with requirements whereby the person administering a vaccine must review the vaccine registry or other vaccination records prior to administering a vaccine.

• The licensed pharmacist must inform their childhood-vaccination patients and the adult caregivers accompanying the children of the importance of a well-child visit with a pediatrician or other licensed primary care provider and refer patients as appropriate.