



January 25, 2023

[submitted electronically via: [nebraskalegislature.gov](http://nebraskalegislature.gov)]

The Honorable Ben Hansen  
Chairperson  
Health and Human Services Committee  
1308 State Capitol.  
P.O. Box 94604.  
Lincoln, NE 68509

Chairperson Hansen and members of the Health and Human Services Committee:

The American Pharmacists Association (APhA) appreciates the opportunity to submit proponent testimony on Legislative Bill (LB) 202 (Senator Walz). This bill will codify pharmacy technicians' authority to administer vaccines under the supervision of a pharmacist. Pharmacy technicians currently have this authority in Nebraska during the public health emergency due to Declarations under the Public Readiness and Emergency Preparedness (PREP) Act. However, the federal authority under the PREP Act will be expiring in October 2024, which will interrupt patients' access to vaccines who have come to rely on pharmacy technicians to administer vaccinations.

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 Nebraska, with 5,495 licensed pharmacists and 3,850 pharmacy technicians, APhA represents pharmacists, students, and pharmacy technicians 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.

We also support the submitted testimony from the Nebraska Pharmacists Association.

Nebraska pharmacy technicians have been administering vaccines under the supervision of pharmacists since October 2020, when the U.S. Department of Health and Human Services (HHS) issued guidance related to the HHS Declaration under the PREP Act for Medical Countermeasures Against COVID-19. This guidance authorized pharmacy technicians, acting under the supervision of a pharmacist, to administer FDA-authorized or FDA-licensed COVID-19 vaccines to persons ages three or older and to administer FDA-authorized or FDA-licensed ACIP-recommended vaccines to persons ages three through 18 according

to ACIP's standard immunization schedule.<sup>1</sup> In August 2021, this temporary authority was expanded to authorize pharmacy technicians to administer seasonal influenza vaccines, under the supervision of a pharmacist, to persons ages 19 and older consistent with ACIP recommendations.<sup>2</sup> As beneficial as this temporary federal authority has been in expanding access to care and relieving some of the burden on an overstressed healthcare system, it is set to expire in October 2024. LB202 makes this temporary federal authority permanent under pharmacy technician state scope of practice to minimize interruptions to patient access to vaccines and ensure Nebraska can meet its public health needs.

For these reasons, we support LB202 and respectfully request your "AYE" vote. If you have any questions or require additional information, please don't hesitate to contact E. Michael Murphy, PharmD, MBA, APhA Advisor for State Government Affairs by email at [mmurphy@aphanet.org](mailto:mmurphy@aphanet.org).

Sincerely,



E. Michael Murphy, PharmD, MBA  
Advisor for State Government Affairs  
American Pharmacists Association

cc: Senator Beau Ballard  
Senator Machaela Cavanaugh  
Senator Jen Day  
Senator Brian Hardin  
Senator Merv Riepe  
Senator Lynne Walz

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<sup>1</sup> Guidance for PREP Act Coverage for Qualified Pharmacy Technicians and State-Authorized Pharmacy Interns for Childhood Vaccines, COVID-19 Vaccines, and COVID-19 Testing (October 20, 2020), <https://www.hhs.gov/sites/default/files/prep-act-guidance.pdf>

<sup>2</sup> Eighth Amendment to Declaration Under the PREP Act for Medical Countermeasures Against COVID-19 (August 4, 2021), <https://www.govinfo.gov/content/pkg/FR-2021-08-04/pdf/2021-16681.pdf>