



March 19, 2024

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The Honorable Joy A. San Buenaventura  
Chair, Committee on Health and Human  
Services  
415 South Beretania Street  
Honolulu, HI 96813

The Honorable Jarrett Keohokalole  
Chair, Committee on Commerce and Consumer  
Protections  
415 South Beretania Street  
Honolulu, HI 96813

Dear Chair San Buenaventura, Chair Keohokalole, and members of the Committee on Health and Human Services and Consumer Protection & Commerce:

The American Pharmacists Association (APhA) appreciates the opportunity to submit proponent testimony on [House Bill \(HB\) 2553](#) (Rep. Takenouchi). This bill will codify pharmacists' authority to administer and pharmacy technicians and pharmacy interns under the supervision of a pharmacist to administer vaccines to patients aged three years to seventeen. Pharmacists, pharmacy technicians, and pharmacy interns currently have this authority in Hawai'i due to federal Declarations under the federal Public Readiness and Emergency Preparedness (PREP) Act. However, some of the federal authorities under the PREP Act, particularly for pharmacy technicians and pharmacy interns, expired on May 11, 2023, and other authorities will be expiring under the Eleventh Amendment in December 2024,<sup>1</sup> which will interrupt access for patients who have come to rely on pharmacy personnel to administer immunizations.

APhA is the largest association of pharmacists in the United States advancing the entire pharmacy profession, including 2,451 licensed pharmacists in Hawaii. 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. APhA represents pharmacists, students, and pharmacy technicians who 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.

Hawai'i 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 federal PREP Act for medical countermeasures against

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<sup>1</sup> U.S. Department of Health and Human Services (HHS). Eleventh Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19. Published March 12, 2023. Available at: <https://www.federalregister.gov/documents/2023/05/12/2023-10216/eleventh-amendment-to-declaration-under-the-public-readiness-and-emergency-preparedness-act-for>

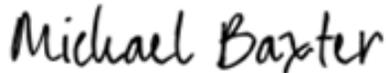
COVID-19<sup>2</sup> and then the Third,<sup>3</sup> Fourth,<sup>4</sup> Eighth,<sup>5</sup> and Tenth<sup>6</sup> Amendments. HHS' declarations and amendments authorized the following:

- Pharmacists (order and administer) and pharmacy technicians and pharmacy interns under the supervision of a pharmacist, to administer to persons ages three 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 Hawai'ians have been receiving expanded access to vaccines provided by their local pharmacy personnel for nearly four years. HB 2553 makes this temporary federal authority permanent in Hawai'i under pharmacists', pharmacy interns,' and pharmacy technicians' state scope of practice by maintaining access to vaccinations for patients aged three years or older. HB 2553 is vital to minimize interruptions to patients' access to necessary vaccinations and ensure Hawai'i can meet its public health needs and [save](#) millions of lives and billions in preventable health care costs to Hawai'i.

For these reasons, APhA respectfully requests your "AYE" vote on HB 2553. If you have any questions or require additional information or would like to meet with Hawai'i pharmacists, 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,



Michael Baxter  
Vice President, Federal and State Legislative Affairs

cc: Senator Henry J.C. Aquino, Vice Chair, Committee on Health and Human Services  
Senator Carol Fukunaga, Vice Chair, Committee on Commerce and Consumer Protection  
Senator Maile S.L. Shimabukuro  
Senator Brenton Awa  
Senator Angus L.K. McKelvey

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<sup>2</sup> 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>.

<sup>3</sup> 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>.

<sup>4</sup> 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>.

<sup>5</sup> 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>.

<sup>6</sup> 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>.

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