

ESSENTIAL INFORMATION

July 2015

Pharmacist Scope of Practice Laws

Prepared by the Policy Surveillance Program Staff

SUMMARY

This map focuses on the state laws and regulations that govern a pharmacist's scope of practice, including pharmacist practices individually, pharmacist practices under a protocol or practice agreement, pharmacist vaccination authority, and the activities pharmacists can delegate to a pharmacy technician.

ABOUT PHARMACIST SCOPE OF PRACTICE LAWS & THE DATA

With the expansion in coverage through the Affordable Care Act (ACA), demand for health care has increased while the number of physicians and care providers has remained the same. It is estimated that as many as 34 million Americans will join the ranks of the insured once the ACA is fully implemented.¹ Research suggests that the gap in access to health care could be reduced through public health rules governing the scope of practice for pharmacists and pharmacy technicians.²

Pharmacists can increase access to care through their physical accessibility for patients, their ability to provide preventative services like immunizations and disease screenings, and their ability to oversee patient adherence to medications.³ However, in opposition to this expanding scope of practice, some argue that pharmacists' education and training are not equivalent to that of physicians, and that corporate retailers like drug stores and supermarket chains are improperly influencing this scope of practice expansion.⁴

Traditionally pharmacists were responsible for providing and monitoring patient use of medication.⁵ Today, pharmacy practice varies, with more traditional (dispensing-focused) practice settings now offering expanded patient care services like vaccinations and disease screenings.⁶

Although there are distinctions across the jurisdictions regarding pharmacist classifications and requirements for different activities, every state now has law governing the practice of pharmacy.

The data displayed on this map focus on pharmacists who work in retail pharmacies and do not have additional certification for additional practices. The data detail the activities that these pharmacists can perform in non-institutionalized settings as well as the medication therapy

¹ <http://www.ncsl.org/research/health/scope-of-practice-overview.aspx>

² <http://www.nga.org/files/live/sites/NGA/files/pdf/2015/1501TheExpandingRoleOfPharmacists.pdf>

³ <http://www.cdc.gov/cdcgrandrounds/pdf/gr-pharmacists-10-21-2014.pdf>

⁴ Stephen Isaacs and Paul Jellinek, *Accept No Substitute: A Report on Scope of Practice*, PHYSICIANS FOUNDATION, 13, 50 (Nov. 2012)

⁵ http://www.accp.com/docs/positions/misc/Improving_Patient_and_Health_System_Outcomes.pdf

⁶ <http://japha.org/article.aspx?articleid=1043725#PharmacypracticeintheUnitedStates>

management activities that they can complete, with or without a collaborative practice agreement. It also includes the activities a pharmacy technician can perform in the retail setting.

The data show:

- Every state allows pharmacists to dispense medication with some sort of expanded authority such as substituting the medication, counseling patients on the drug, reviewing the patient profile for various reasons, or refilling the prescription without physician consent in an emergency situation.
- Nine states allow physicians to prescribe medication in some form, whether it is a specific use medication or generally listed in a protocol.
- Forty-two states and the District of Columbia allow pharmacists to administer vaccinations, with 16 of those states allowing the pharmacist to do it independently, with no physician authorization required.
- Forty-seven states and the District of Columbia allow pharmacists to manage a patient's drug therapy.
- There is variation amongst the jurisdictions regarding the type of activities that a pharmacist can complete, but only 4 of these states allowed a pharmacist to manage drug therapy without authorization from a physician.
- Every state acknowledges pharmacy technicians and their ability to accept responsibilities in a pharmacy setting.

The data available here were last updated with laws in effect through July 1, 2015.

NAVIGATING THE DATA

There are two ways to navigate the data using the interactive map: by selecting a state from the map or by selecting criteria that detail the characteristics of the laws.

Option 1 – State by state: Using the map, click on the state of interest. A table will appear with details about that state's law.

Option 2 – Multiple states: To view the law across multiple states, you may use the questions to filter through various criteria. Clicking on a question will expand the answers/criteria for you to select. In some cases, secondary questions may appear after answering one of the primary questions — these secondary questions dig deeper into the detail of that specific are of the law. The map will change based on the criteria you select.

The primary questions addressed are:

1. What activities are pharmacists explicitly allowed to perform independently?
2. Does the law explicitly allow a pharmacist to administer vaccines?
3. Does the law explicitly allow a pharmacist to manage drug therapy?
4. Does the law allow pharmacists to prescribe medication?
5. What pharmacy activities can a pharmacy technician do?

ADDITIONAL INFORMATION

For more information about pharmacist's scope of practice and related laws, please refer to the following resource:

National Governor's Association. "The Expanding Role of Pharmacists in a Transformed Health Care System."

<http://www.nga.org/files/live/sites/NGA/files/pdf/2015/1501TheExpandingRoleOfPharmacists.pdf>

This collection of laws does not provide legal advice nor does it address enforcement of laws, administrative policies, case law, or any other sources of law. Should you have a specific question about these laws in your state, please contact an attorney in your jurisdiction.