Sec. 551.003. Definitions.

In Chapters 551-566:

(33) Practice of pharmacy means:

(A) providing an act or service necessary to provide pharmaceutical care;
(B) interpreting or evaluating a prescription drug order or medication order;
(C) participating in drug or device selection as authorized by law, and participating in
drug administration, drug regimen review, or drug or drug-related research;
(D) providing patient counseling;
(E) being responsible for:
   (i) dispensing a prescription drug order or distributing a medication order;
   (ii) compounding or labeling a drug or device, other than labeling by a
        manufacturer, repackager, or distributor of a nonprescription drug or commercially packaged
        prescription drug or device;
   (iii) properly and safely storing a drug or device; or
   (iv) maintaining proper records for a drug or device;
(F) performing for a patient a specific act of drug therapy management delegated to a
    pharmacist by a written protocol from a physician licensed in this state in compliance with
    Subtitle B; or
    (G) administering an immunization or vaccination under a physicians written
        protocol.

CHAPTER 554. BOARD POWERS AND DUTIES; RULEMAKING AUTHORITY
SUBCHAPTER A. POWERS AND DUTIES

Sec. 554.004. Administration of Medication.

(a) The board shall specify conditions under which a pharmacist may administer medication,
including an immunization and vaccination. The conditions must ensure that:
   (1) a licensed health care provider authorized to administer the medication is not
       reasonably available to administer the medication;
(2) failure to administer the medication, other than an immunization or vaccination, might result in a significant delay or interruption of a critical phase of drug therapy;

(3) the pharmacist possesses the necessary skill, education, and certification as specified by the board to administer the medication;

(4) within a reasonable time after administering medication, the pharmacist notifies the licensed health care provider responsible for the patient's care that the medication was administered;

(5) the pharmacist may not administer medication to a patient at the patient's residence, except at a licensed nursing home or hospital;

(6) the pharmacist administers an immunization or vaccination under a physician's written protocol and meets the standards established by the board; and

(7) the authority of a pharmacist to administer medication may not be delegated.

(b) This section does not prohibit a pharmacist from preparing or manipulating a biotechnological agent or device.

(c) This section does not prohibit a pharmacist from performing an act delegated by a physician in accordance with Chapter 157. The pharmacist performing a delegated medical act under that chapter is considered to be performing a medical act and not to be engaging in the practice of pharmacy.

SUBCHAPTER B. RULEMAKING

Sec. 554.052. Immunizations and Vaccinations; Physician Supervision.

(a) The board by rule shall require a pharmacist to notify a physician who prescribes an immunization or vaccination within 24 hours after the pharmacist administers the immunization or vaccination.

(b) The board shall establish minimum education and continuing education standards for a pharmacist who administers an immunization or vaccination. The standards must include Centers for Disease Control and Prevention training, basic life support training, and hands-on training in techniques for administering immunizations and vaccinations.

(c) Supervision by a physician is adequate if the delegating physician:

(1) is responsible for formulating or approving an order or protocol, including the physicians order, standing medical order, or standing delegation order, and periodically reviews the order or protocol and the services provided to a patient under the order or protocol;

(2) except as provided by Subsection (c-1), has established a physician-patient relationship with each patient under 14 years of age and referred the patient to the pharmacist;
(3) is geographically located to be easily accessible to the pharmacy where an
immunization or vaccination is administered;
(4) receives, as appropriate, a periodic status report on the patient, including any problem
or complication encountered; and
(5) is available through direct telecommunication for consultation, assistance, and
direction.
(c-1) A pharmacist may administer an influenza vaccination to a patient over seven years of age
without an established physician-patient relationship.
(d) The Texas Medical Board by rule shall establish the minimum content of a written order or
protocol. The order or protocol may not permit delegation of medical diagnosis.