

**TEXAS PHARMACY ACT**  
**OCCUPATIONS CODE**  
**TITLE 3. HEALTH PROFESSIONS**  
**SUBTITLE J. PHARMACY AND PHARMACISTS**  
**CHAPTER 551. GENERAL PROVISIONS**

**Sec. 551.003. Definitions.**

In Chapters 551-566:

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(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;

- 34 (2) failure to administer the medication, other than an immunization or vaccination, might  
35 result in a significant delay or interruption of a critical phase of drug therapy;
- 36 (3) the pharmacist possesses the necessary skill, education, and certification as specified  
37 by the board to administer the medication;
- 38 (4) within a reasonable time after administering medication, the pharmacist notifies the  
39 licensed health care provider responsible for the patients care that the medication was  
40 administered;
- 41 (5) the pharmacist may not administer medication to a patient at the patients residence,  
42 except at a licensed nursing home or hospital;
- 43 (6) the pharmacist administers an immunization or vaccination under a physicians written  
44 protocol and meets the standards established by the board; and
- 45 (7) the authority of a pharmacist to administer medication may not be delegated.
- 46 (b) This section does not prohibit a pharmacist from preparing or manipulating a  
47 biotechnological agent or device.
- 48 (c) This section does not prohibit a pharmacist from performing an act delegated by a physician  
49 in accordance with Chapter 157. The pharmacist performing a delegated medical act under that  
50 chapter is considered to be performing a medical act and not to be engaging in the practice of  
51 pharmacy.

## 52 **SUBCHAPTER B. RULEMAKING**

### 53 **Sec. 554.052. Immunizations and Vaccinations; Physician Supervision.**

- 54 (a) The board by rule shall require a pharmacist to notify a physician who prescribes an  
55 immunization or vaccination within 24 hours after the pharmacist administers the  
56 immunization or vaccination.
- 57 (b) The board shall establish minimum education and continuing education standards for a  
58 pharmacist who administers an immunization or vaccination. The standards must include Centers  
59 for Disease Control and Prevention training, basic life support training, and hands-on training in  
60 techniques for administering immunizations and vaccinations.
- 61 (c) Supervision by a physician is adequate if the delegating physician:
- 62 (1) is responsible for formulating or approving an order or protocol, including the  
63 physicians order, standing medical order, or standing delegation order, and periodically reviews  
64 the order or protocol and the services provided to a patient under the order or protocol;
- 65 (2) except as provided by Subsection (c-1), has established a physician-patient  
66 relationship with each patient under 14 years of age and referred the patient to the pharmacist;

67 (3) is geographically located to be easily accessible to the pharmacy where an  
68 immunization or vaccination is administered;

69 (4) receives, as appropriate, a periodic status report on the patient, including any problem  
70 or complication encountered; and

71 (5) is available through direct telecommunication for consultation, assistance, and  
72 direction.

73 (c-1) A pharmacist may administer an influenza vaccination to a patient over seven years of age  
74 without an established physician-patient relationship.

75 (d) The Texas Medical Board by rule shall establish the minimum content of a written order or  
76 protocol. The order or protocol may not permit delegation of medical diagnosis.