



Illinois Department of Financial and Professional Regulation
Division of Professional Regulation

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Governor

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Secretary
CECILIA ABUNDIS
Acting Director
Division of Professional Regulation

STATE OF ILLINOIS
DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION

PROCLAMATION TO INVOKE EMERGENCY POWERS TO MODIFY PROFESSIONAL LICENSE AND CERTIFICATION STATUTES AND REGULATIONS FOR ILLINOIS LICENSED PHARMACISTS TO ADMINISTER INFLUENZA AND COVID-19 VACCINES

WHEREAS, pursuant to Section 7 of the Illinois Emergency Management Agency Act (20 ILCS 3305/7), the Governor of the State of Illinois has issued a proclamation declaring that a public health emergency exists related to the COVID-19 outbreak in the State of Illinois; and

WHEREAS, as the Governor of the State of Illinois, pursuant to Sections 7(1), 7(2), 7(8), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, ordered during the duration of the Gubernatorial Disaster Proclamations, the requirement in the Section 2105-400 of the Civil Administrative Code, 20 ILCS 2105-400, and its accompanying regulations, authorizing the Secretary of the Department of Financial and Professional Regulation (“IDFPR” or “Department”) to take certain actions to increase the number of licensed professionals responding to the disaster is suspended to the extent it limits the Secretary’s authority to those persons working under the direction of the Illinois Emergency Management Agency (“IEMA”) and the Illinois Department of Public Health (“IDPH”) pursuant to a declared disaster by the Governor; and

WHEREAS, the Governor further ordered that the requirement that the Secretary shall only exercise this authority “in coordination with the Illinois Emergency Management Agency and the Department of Public Health” remains in effect and that in exercising this authority, the Secretary shall work closely with the Directors of IEMA and IDPH to ensure any impacted licensed professionals are aiding in the response to the disaster; and

WHEREAS, on August 24, 2020, the U.S. Department of Health and Human Services, Office of the Secretary issued a guidance entitled, Third Amendment to Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID–19 (“HHS Third Amendment”), available at <https://www.federalregister.gov/documents/2020/08/24/2020-18542/third-amendment-to-declaration-under-the-public-readiness-and-emergency-preparedness-act-for-medical>, which recommends authorizing pharmacists to order and administer FDA-authorized or licensed vaccines, including influenza and COVID-19 vaccines, under certain conditions; and

WHEREAS, Section 2105-400(a)(1) of the Illinois Civil Administrative Code (20 ILCS 2105) authorizes the Secretary of the IDFPR to suspend the requirements for permanent licensure of persons who are licensed in another state, and modify the scope of practice restrictions under any licensing act administered by the Department; and

WHEREAS, the Secretary of IDFPR has coordinated a response to the declared public health emergency with IEMA and IDPH, including by expanding the scope of practice of pharmacists and pharmacy technicians in order to respond to the COVID-19 pandemic; and

WHEREAS, under the Illinois Pharmacy Practice Act, the practice of pharmacy means, among other things, the vaccination of patients 14 years of age and older pursuant to a valid prescription or standing order that has been ordered by a licensed physician, upon completion of appropriate training, including how to address contraindications and adverse reactions, with notification to the patient's physician and appropriate record retention or pursuant to hospital pharmacy and therapeutics committee policies and procedures;

WHEREAS, under the Illinois Pharmacy Practice Act, the practice of pharmacy means, among other things, the vaccination of patients ages 10 through 13, limited to the Influenza (inactivated influenza vaccine and live attenuated influenza intranasal vaccine) and Tdap (defined as tetanus, diphtheria, acellular pertussis) vaccines, pursuant to a valid prescription or standing order, upon completion of appropriate training, including how to address contraindications and adverse reactions, with notification to the patient's physician and appropriate record retention, or pursuant to hospital pharmacy and therapeutics committee policies and procedures; and

WHEREAS, under the Illinois Pharmacy Practice Act, a registered pharmacy technician, is authorized to assist licensed pharmacists in the practice of pharmacy, under the supervision of a licensed pharmacist; and

WHEREAS, under the Illinois Pharmacy Practice Act, a registered pharmacy technician may be delegated to perform any task within the practice of pharmacy if specifically trained for that task, except for patient counseling, drug regimen review, and clinical conflict resolution.

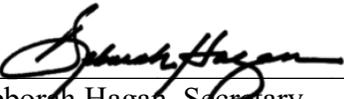
THEREFORE, the Secretary of the Illinois Department of Financial and Professional Regulation, Deborah Hagan, hereby orders the following, pursuant to her authority under 20 ILCS 2105-400(a)(1):

1. An Illinois-licensed pharmacist's scope of practice under the Pharmacy Practice Act, 225 ILCS 85, is expanded to order and administer influenza and COVID-19 vaccines to persons ages 3 through 18 ("childhood-vaccination patients") pursuant to the following conditions as set forth in the HHS Third Amendment:
 - a. the vaccine must be FDA-authorized or FDA-licensed;
 - b. the vaccination must be ordered and administered according to the Advisory Committee on Immunization Practices ("ACIP") standard immunization schedule;
 - c. the pharmacist must complete a practical training program of at least 20 hours that is approved by the Accreditation Council for Pharmacy Education (ACPE). This training program must include hands-on injection technique, clinical evaluation of

- indications and contraindications of vaccines, and the recognition and treatment of emergency reactions to vaccines;
- d. the pharmacist must have a current certificate in basic cardiopulmonary resuscitation;
 - e. the pharmacist must complete a minimum of two hours of ACPE-approved, immunization-related continuing pharmacy education during each State licensing period;
 - f. the pharmacist must comply with recordkeeping and reporting requirements of the jurisdiction in which the pharmacist administers vaccines, including informing the patient's primary-care provider when available, submitting the required immunization information to the State or local immunization information system (vaccine registry), complying with requirements with respect to reporting adverse events, and complying with requirements whereby the person administering a vaccine must review the vaccine registry or other vaccination records prior to administering a vaccine; and
 - g. the pharmacist must inform the pharmacist's childhood-vaccination patients and the adult caregiver accompanying the child of the importance of a well-child visit with a pediatrician or other licensed primary-care provider and refer patients as appropriate.
2. An Illinois-licensed pharmacy technician's and Illinois-licensed pharmacy intern's ("student pharmacist") scope of practice under the Pharmacy Practice Act, 225 ILCS 85, is expanded to order and administer influenza and COVID-19 vaccines to persons over the age of 3 under the supervision of an appropriately trained Illinois-licensed pharmacist pursuant to the following conditions as set forth in the HHS October 20, 2020 Guidance:
- a. The vaccine must be FDA-authorized or FDA-licensed.
 - b. In the case of a COVID-19 vaccine, the vaccination must be ordered and administered according to ACIP's COVID-19 vaccine recommendation(s).
 - c. In the case of a childhood vaccine, the vaccination must be ordered and administered according to ACIP's standard immunization schedule.
 - d. The vaccination must be ordered by the supervising pharmacist.
 - e. The supervising pharmacist must be readily and immediately available to the immunizing pharmacy technicians and student pharmacists.
 - f. The pharmacy technician or student pharmacist must complete a practical training program that is approved by the ACPE. This training program must include hands-on injection technique and the recognition and treatment of emergency reactions to vaccines.
 - g. The pharmacy technician or student pharmacist must have a current certificate in basic cardiopulmonary resuscitation.
 - h. The pharmacy technician or student pharmacist must complete a minimum of two hours of ACPE- approved, immunization-related continuing pharmacy education during the relevant State licensing period(s).
 - i. The supervising pharmacist must comply with recordkeeping and reporting requirements of the jurisdiction in which he or she administers vaccines, including informing the patient's primary care provider when available and submitting the required immunization information to the state or local immunization information system (vaccine registry).

- j. The supervising pharmacist is responsible for complying with requirements related to reporting adverse events.
 - k. The supervising pharmacist must review the vaccine registry or other vaccination records prior to ordering the vaccination to be administered by the pharmacy technician or student pharmacist.
 - l. The pharmacy technician or student pharmacist must, if the patient is 18 years of age or younger, inform the patient and the adult caregiver accompanying the patient of the importance of a well-child visit with a pediatrician or other licensed primary-care provider and refer patients as appropriate.
 - m. The supervising pharmacist must comply with any applicable requirements (or conditions of use) as set forth in the CDC's COVID-19 vaccination provider agreement and any other federal requirements that apply to the administration of COVID-19 vaccine(s) being administered.
3. Licensees covered by this Proclamation must be appropriately trained and are subject to all provisions of the Pharmacy Practice Act and its Rules, as applicable, relating to the standards of care.
 4. This Order does not apply to any licensee who holds an Illinois license as a pharmacist that is revoked, suspended, or otherwise encumbered.
 5. This Order is effective upon signature and shall continue in effect until throughout the duration of the Gubernatorial Disaster Proclamation.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
of the State of Illinois; DEBORAH HAGAN, SECRETARY,



Deborah Hagan, Secretary

December 3, 2020

Date