

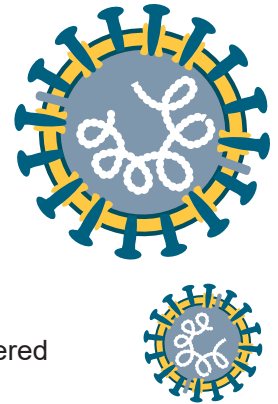
Guidance on Supervision of Pharmacy Technicians and Pharmacist Interns Pursuant to Executive Order 21-01

The Nebraska Department of Health and Human Services (DHHS) recognizes that the COVID-19 pandemic has created an increased need for pharmacy technicians and pharmacist interns to assist in implementing Nebraska's COVID-19 vaccine plan. DHHS is also aware that the federal government has taken certain action under the authority of the [Public Readiness and Emergency Preparedness \(PREP\) Act](#) and issued related guidance to allow pharmacy technicians and pharmacist interns who have completed additional training to administer FDA-authorized or FDA-licensed COVID-19 vaccines to persons three years of age or older and to administer FDA-authorized or FDA-licensed Advisory Committee on Immunization Practices (ACIP)-recommended vaccines to persons ages three through 18 according to ACIP's standard immunization schedule.

Consistent with the federal actions, the Governor issued [Executive Order No. 21-01](#) on January 7, 2021, temporarily suspending provisions of [Nebraska law](#) which limit the total number of pharmacy technicians and pharmacist interns that one pharmacist can supervise at any one time to three. Executive Order No. 21-XX also requires DHHS to issue guidance on related to the federal actions under the PREP Act and the provisions of Executive Order No. 21-XX. This is DHHS's guidance.

- Executive Order 21-01 suspends only the [statutory cap](#) on the number of persons who can be supervised by a pharmacist at any time (i.e., no more than three). Pharmacists will still be required to ensure that they can safely supervise the number of pharmacy technicians and pharmacist interns under their supervision, based upon their professional discretion.
- Executive Order 21-01 does not waive the requirement that a pharmacist provide immediate personal supervision of a pharmacist intern as set forth in [Neb. Rev. Stat. § 38-2854\(2\)](#).
- "Supervision" is defined in [Neb. Rev. Stat. § 38-2845](#) to mean the personal guidance and direction by a pharmacist of the performance by a pharmacy technician of authorized activities or functions subject to (1) verification by such pharmacist or (2) validation by a certified pharmacy technician subject to section [Neb. Rev. Stat. § 38-2891.01](#). Supervision of a pharmacy technician may occur by means of a real-time audiovisual communication system.
- It is the intent of DHHS that both pharmacy technicians and pharmacist interns who are administering vaccines will be supervised by a pharmacist and that the pharmacist will ensure safe administration practices.
- The federal HHS guidance authorizes both qualified pharmacy technicians and State-authorized pharmacy interns acting under the supervision of a qualified pharmacist to administer FDA-authorized or FDA-licensed COVID-19 vaccines to persons ages three or older and to administer FDA-authorized or FDA-licensed ACIP-recommended vaccines to persons ages three through 18 according to ACIP's standard immunization schedule. To qualify as "qualified persons" under this federal guidance, pharmacy technicians and pharmacist interns in Nebraska must satisfy the following requirements set forth in the federal "Guidance for PREP Act Coverage for Qualified Pharmacy Technicians and State-Authorized Pharmacy Interns for Childhood Vaccines, COVID-19 Vaccines, and COVID-19 Testing," published in October 20, 2020, available at <https://www.hhs.gov/sites/default/files/prep-act-guidance.pdf>.

- The vaccination must be ordered by the supervising qualified pharmacist.
- The supervising qualified pharmacist must be readily and immediately available to the immunizing qualified pharmacy technicians.
- The vaccine must be FDA-authorized or FDA-licensed.
- In the case of a COVID-19 vaccine, the vaccination must be ordered and administered according to ACIP’s COVID-19 vaccine recommendation(s).
- In the case of a childhood vaccine, the vaccination must be ordered and administered according to ACIP’s standard immunization schedule.
- The qualified pharmacy technician or State-authorized pharmacy intern must complete a practical training program that is approved by the Accreditation Council for Pharmacy Education (ACPE). This training program must include hands-on injection technique and the recognition and treatment of emergency reactions to vaccines.
- The qualified pharmacy technician or State-authorized pharmacy intern must have a current certificate in basic cardiopulmonary resuscitation.
- The qualified pharmacy technician must complete a minimum of two hours of ACPE- approved, immunization-related continuing pharmacy education during the relevant State licensing period(s).
- The supervising qualified 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).
- The supervising qualified pharmacist is responsible for complying with requirements related to reporting adverse events.
- The supervising qualified pharmacist must review the vaccine registry or other vaccination records prior to ordering the vaccination to be administered by the qualified pharmacy technician or State-authorized pharmacy intern.
- The qualified pharmacy technician and State-authorized pharmacy intern 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.
- The supervising qualified 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).



(The fourth amendment to the federal PREP Act order, made in December 2020 continues these same requirements, although with minor differences in wording in a couple of cases. See <https://www.federalregister.gov/documents/2020/12/09/2020-26977/fourth-amendment-to-the-declaration-under-the-public-readiness-and-emergency-preparedness-act-for>.)

- While the PREP Act and federal HHS guidance preempts any state and local law that prohibits or effectively prohibits those who satisfy the requirements above from administering COVID-19 or routine childhood vaccines during the COVID-19 state of emergency, Nebraska’s Medication Aide Act is another option for pharmacy technicians or pharmacist interns who are interested in being able to continue administration of vaccines following the end of the declared emergency. A pharmacy technician or pharmacist intern who becomes registered as a Medication Aide and who completes the additional State requirements for administering medications through injection would be allowed to continue administering vaccines in accordance with the [Medication Aide Act](#) after the COVID-19 emergency has ended.

