

<h1>Regulatory Analysis Form</h1> <p>(Completed by Promulgating Agency)</p> <p>(All Comments submitted on this regulation will appear on IRRC's website)</p>		<p>INDEPENDENT REGULATORY REVIEW COMMISSION</p> <p>RECEIVED</p> <p>Independent Regulatory Review Commission</p> <p>February 4, 2026</p> <p>IRRC Number: 3476</p>	
<p>(1) Agency</p> <p>Department of State, Bureau of Professional and Occupational Affairs, State Board of Pharmacy</p>			
<p>(2) Agency Number: 16A</p> <p>Identification Number: 5434</p>			
<p>(3) PA Code Cite:</p> <p>49 Pa. Code §§ 27.12, 27.32, 27.402, 27.403, 27.405, 27.406 and 27.408</p>			
<p>(4) Short Title:</p> <p>Immunization Updates</p>			
<p>(5) Agency Contacts (List Telephone Number and Email Address):</p> <p>Primary Contact: Marc J. Farrell, Regulatory Counsel, Department of State, P.O. Box 69523, Harrisburg, PA 17106-9523; phone (717) 783-7200; marcfarrel@pa.gov.</p> <p>Secondary Contact: Sean Barrett, Board Counsel, State Board of Pharmacy, Department of State, P.O. Box 69523, Harrisburg, PA 17106-9523; phone (717) 783-7200; seabarrett@pa.gov.</p>			
<p>(6) Type of Rulemaking (check applicable box):</p> <p><input type="checkbox"/> Proposed Regulation</p> <p><input type="checkbox"/> Final Regulation</p> <p><input checked="" type="checkbox"/> FINAL OMITTED REGULATION</p>		<p><input type="checkbox"/> Emergency Certification Regulation</p> <p><input type="checkbox"/> Certification by the Governor</p> <p><input type="checkbox"/> Certification by the Attorney General</p>	
<p>(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)</p> <p>This rulemaking is needed to conform regulations of the State Board of Pharmacy (board) to recent statutory amendments resulting from passage of the act of July 11, 2022 (P.L. 1224, No. 80) (Act 80 of 2022) and the act of July 17, 2024 (P.L. 852, No. 77) (Act 77 of 2024), each of which expanded the authority of pharmacy professionals, including pharmacists, pharmacy interns and pharmacy technicians, to administer injectable medications, biologicals and immunizations. The two acts lowered the age ranges of persons to whom certain injectables can be administered, extended pharmacists' ability to delegate authority to administer injectables, and adjusted requirements related to the direct and immediate personal supervision that must be provided when pharmacy interns and pharmacy technicians administer injectables.</p>			

(8) State the statutory authority for the regulation. Include specific statutory citation.

Section 6(k)(9) of the Pharmacy Act (act) (63 P.S. § 390-6(k)(9)) provides the board with the authority “to promulgate rules and regulations to effectuate the purposes of this act and to regulate . . . the practice of pharmacy for the protection and promotion of the public health, safety and welfare.” Under section 4(j) of the act (63 P.S. § 390-4(j)), the board is also authorized “to promulgate rules and regulations governing standards of practice and operation of pharmacies including, but not limited to, rules and regulations governing the method of advertising, promotion and standards for dispensing prescriptions, such regulations to be designed to insure methods of operation and conduct which protect the public health, safety and welfare and prevent practices or operations which may tend to lower professional standards of conduct, so as to endanger the public health and welfare.” In addition, section 204(3) of the Commonwealth Documents Law (CDL) (45 P.S. § 1204(3)) allows an agency to omit the procedures for proposed rulemaking in sections 201 and 202 of the CDL if the agency finds that the specified procedures are impracticable, unnecessary or contrary to the public interest. The board finds that publication of this rulemaking as proposed would be unnecessary and contrary to the public interest because it is limited solely to amendments that are needed to bring the board’s regulations into alignment with section 1002 of the Pharmacy Benefit Reform Act (PBRA) (40 P.S. § 4556) (formerly section 9.2 of the Pharmacy Act, 63 P.S. § 390-9.2, repealed).

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

No, the regulation is not mandated by any Federal or state law or court order, or Federal regulations.

(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

This rulemaking is needed to conform and align the board’s regulations with section 1002 of the PBRA (40 P.S. § 4556).

Since 2006, pharmacists have been authorized to administer injectable medications, biologicals and immunizations to adults (individuals 18 years of age or older). On July 9, 2022, the board published final regulations (52 Pa.B. 3822) expanding that authority by establishing a standard for administering influenza immunizations to children 9 years of age or older, and authorizing pharmacy interns to administer injectable medications, biologicals and immunizations under the direct and immediate personal supervision of a pharmacist.

The foregoing authority was further extended as a result of statutory amendments enacted in 2022. Under section 1002(a) of the PBRA (40 P.S. § 4556(a)), pharmacists and pharmacy interns are authorized to administer not just influenza immunizations but also COVID-19 immunizations. Section 1002(a) also allows influenza and COVID-19 immunizations to be administered to individuals who are 5 years of age and older (the allowable minimum age was previously 9 years old). Additionally, under section 1002(b), the types of professionals – other than pharmacists – who can provide supervision to pharmacy interns when administering immunizations was expanded to include physicians, physician assistants (PAs) and certified registered nurse practitioners (CRNPs). Lastly, pharmacists previously could not delegate their

authority to administer injectables, however section 1002(e) authorizes a delegation of their authority to PAs, CRNPs, registered nurses (RNs) and licensed practical nurses (LPNs) for the purpose of administering influenza and COVID-19 immunizations.

Additional statutory amendments in 2024 extended the administration of injectable medications, biologicals and immunizations by pharmacy professionals even further. Under 40 P.S. § 1002(a), pharmacists and supervised pharmacy interns may administer injectable medications, biologicals and immunizations to individuals 8 years of age and older (the allowable minimum age was previously 18 years old). Additionally, under section 1002(e)(2), pharmacists may delegate the administration of immunizations to pharmacy technicians (limited to administering only influenza and COVID-19 immunizations, and only to individuals 13 years of age or older), provided the pharmacy technician satisfies all of the requirements set forth in the statute and receives direct and immediate personal supervision from a qualified pharmacist.

This rulemaking does not interpret section 1002, nor does it make any changes to the regulation that do not directly derive from the PBRA. In making these amendments, it is the board's goal to avoid the confusion that can arise when regulations do not reflect recent statutory changes to an act. Updating a regulation to align with the language of the statute is crucial for maintaining clarity and consistency. This, in turn, boosts stakeholders' confidence in both the law and the regulations because they know they can rely on the regulations as being consistent with the intent of the statute. Updating regulations in this manner also helps to limit the types of misinterpretations that can occur when the language of the regulation differs significantly from the language of the statute.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

No, there are no federal standards on the topic.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

This regulation will not adversely affect Pennsylvania's ability to compete with other states. It merely conforms the board's regulations to the General Assembly's passage of certain statutory amendments to section 1002 of the PBRA, now codified at 40 P.S. § 4556. The lowering of certain age ranges, the addition of professionals other than pharmacists to supervise injections administered by pharmacy interns and pharmacy technicians and the other noted changes have already been effectuated by the statutory amendments.

Delaware

In Delaware, pharmacists who meet specific training and protocol requirements can administer injectable medications, biologicals and immunizations. Pharmacy technicians are not authorized to do so. Pharmacy interns can administer injectable medications, biologicals and immunizations under the direct supervision of a licensed pharmacist. Interns must complete a specific course of education and training approved by the Delaware Board of Pharmacy, and must be under the immediate, personal and direct supervision of an authorized pharmacist, physician, physician assistant or certified registered nurse practitioner. For most injectable medications, biologicals, and immunizations, the patient must be at least 8 years of age. For influenza and COVID-19 immunizations, the patient must be at least 5 years of age.

Maryland

Maryland allows pharmacy interns to administer injectable medications, biologicals and immunizations, provided they are directly supervised by a qualified pharmacist, complete all required training, have a valid certificate in cardiopulmonary resuscitation (CPR), and the administration falls within protocols established by the Maryland Board of Pharmacy. This authority is an extension of the pharmacist's scope of practice. A registered pharmacy technician who meets those same requirements may administer certain vaccines as a delegated pharmacy act, namely, COVID-19, influenza or pneumococcal pneumonia vaccines to individuals 18 years old or older; and respiratory syncytial virus (RSV) or herpes zoster vaccines to individuals 50 years old or older.

New Jersey

New Jersey permits qualified pharmacy interns and pharmacy technicians to administer certain injectable medications, biologicals and immunizations under a licensed pharmacist's direct supervision. Appropriately educated and qualified pharmacy technicians can administer drugs to patients 18 years of age or older, and influenza and COVID-19 vaccines to patients as young as 5 years old. Appropriately educated and qualified interns and technicians may administer other immunizations, including biologicals, by injection or other delivery method. All administration by a pharmacy intern or pharmacy technician must be under the direct supervision of a licensed pharmacist who is pre-approved by the New Jersey Board of Pharmacy to administer vaccines and related emergency medications. Pharmacists must also comply with rules set jointly by the Board of Pharmacy and the New Jersey State Board of Medical Examiners.

New York

Certified pharmacy interns are permitted to administer injectable immunizations and biologicals, provided they meet specific qualifications and work under the supervision of a certified pharmacist. A pharmacy intern may administer vaccines and biologicals if they possess a valid, active limited permit from the New York State Education Department, hold a separate certification to administer immunizations, which is also issued by the New York State Education Department, and administration must be done under the supervision of a pharmacist who is also certified to administer immunizations. Interns must also complete a training course that covers hands-on injection technique and the proper recognition and treatment of emergency reactions to vaccines. Registered pharmacy technicians are also allowed to administer immunizations under the direct supervision of a licensed pharmacist. Technicians must obtain a specific immunization certificate from the state, which requires completing training in CPR or basic life support (BLS), and must also complete a practical training program approved by the Accreditation Council for Pharmacy Education (ACPE). The supervising pharmacist must be immediately available to approve the procedures and oversee the work performed by the technician.

Ohio

Ohio allows pharmacy interns to administer immunizations and biologicals, as well as other injectable medications to individuals 5 years of age or older, but only under the direct supervision of a qualified pharmacist. Pharmacy interns must also have completed an immunization training program accredited by the ACPE and must be certified in BLS. Ohio allows certified and registered pharmacy technicians to administer immunizations and some other injectable medications, provided they complete a required training course, maintain BLS certification, and work under the direct supervision of a pharmacist.

West Virginia

West Virginia allows pharmacy interns and pharmacy technicians to administer injectable medications, biologicals and immunizations if they are under the direct supervision of a qualified pharmacist, complete board-approved training, maintain CPR certification, and are registered with the Board of Pharmacy. They

are required to fulfill specific continuing education requirements related to immunizations for each licensing renewal period.

The changes brought about by the recent statutory amendments – which are reflected in the conforming amendments in this rulemaking – will not place Pennsylvania at a competitive disadvantage. Pennsylvania’s requirements are generally in line with its surrounding neighbor states. Moreover, updating the regulations in this manner rectifies and prevents the confusion and uncertainty that can arise when the language of a statute differs significantly from the language of the corresponding regulation.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No, this regulation will not affect any other regulations of the Department, the Bureau, the board or any other state agency.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. (“Small business” is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

All rulemaking activities of the board are discussed and voted on in public board meetings which are routinely attended by representatives of the public and the regulated community. Because this rulemaking is restricted solely to conforming amendments that are needed to update and align the board’s regulations with statutory language, the board did not engage in extensive public outreach and did not distribute an exposure draft prior to adopting this final-omitted regulation. The board did discuss this rulemaking at several of its public meetings, including: August 30, 2022; January 31, 2023; three meetings in 2024 (March 19, July 30 and August 27); and two meetings in 2025 (June 17 and August 26).

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

Licensees and registrants of the board who engage or wish to engage in the administration of injectable medications, biologicals and immunizations will be affected by the provisions of section 1002 of the PBRA (40 P.S. § 4556) and which form the basis of this rulemaking, including those who are or work for small businesses. At the present time, there are approximately 25,592 pharmacists licensed by the board. In addition, there are currently 4,151 registered pharmacy interns. Each year, the board processes an average of approximately 2,275 individual applications for initial pharmacist licensure and pharmacy intern registration. The board also recently began registering pharmacy technicians on June 27, 2025. As of December 2025, more than 1,400 registrations had been issued. Any pharmacist, pharmacy intern or pharmacy technician who engages or wishes to engage in the administration of injectables must abide by the requirements of 40 P.S. § 4556, and also must abide by this rulemaking.

According to the Pennsylvania Department of Labor and Industry, in 2022 (the most recent year for which data is available) the majority of pharmacists in this Commonwealth work in health and personal care stores, i.e. pharmacies (46.34%) and general medical and surgical hospitals and specialty hospitals (24.45%). Others work in merchant wholesalers (3.63%), home health care services (3.55%) and for

insurance carriers (3.45%). A small percentage of pharmacists work for the Federal government (1.50%), management of companies and enterprises (1.42%), outpatient care centers (1.40%) and other ambulatory health care services (0.84%).

Similarly, pharmacy interns and pharmacy technicians in this Commonwealth generally work in health and personal care stores (57.76%), hospitals (including general medical and surgical hospitals, and specialty hospitals except psychiatric and substance abuse hospitals) (13.88%) and in food and beverage stores (8.33%). Others work for home health care services (3.97%), merchant wholesalers of nondurable goods (3.83%), insurance carriers (1.46%), the Federal government (1.15%), outpatient care centers (0.73%) and management of companies and enterprises (0.70%).

According to the Small Business Administration (SBA), there are approximately 1,169,008 small businesses in Pennsylvania, which is 99.6% of all Pennsylvania businesses. Of the 1,169,008 small businesses, 230,244 are small employers (those with fewer than 500 employees) and the remaining 938,764 are non-employers. Thus, the vast majority of businesses in Pennsylvania are considered small businesses.

Small businesses are defined in Section 3 of the Regulatory Review Act, (71 P.S. § 745.3) which provides that a small business is defined by the SBA's Small Business Size Regulations under 13 CFR Ch. 1 Part 121. These size standards have been established for types of businesses under the North American Industry Classification System (NAICS). In applying the 2022 NAICS standards to the types of employment where the majority of pharmacists, pharmacy interns and pharmacy technicians may work, a pharmacy or drug retailer (NAICS code #456110) is considered a small business if their average annual receipts are less than \$37.5 million. Hospitals (NAICS code #622110 and 622310) are considered small businesses when their average annual receipts are less than \$47 million. For supermarkets and other grocery retailers (food and beverage stores) (NAICS code #445110), the small business threshold is \$40 million. For home health care services and other outpatient care centers (NAICS codes #621610 and 621498), the small business threshold is \$19 million.

Based upon this variety of employers, the board believes that most pharmacists, pharmacy interns and pharmacy technicians in this Commonwealth are employed in small businesses. However, the board does not collect information on the size of the businesses where its licensees and registrants are employed. Also, NAICS does not assign thresholds for government entities, which would not be considered small businesses. For purposes of determining the economic impact on small businesses, the board assumes that a large number of its licensees and registrants work for small businesses as that term is defined by the SBA and Pennsylvania's Regulatory Review Act. For those licensees who are employees of small businesses, whether these small businesses will be impacted by the regulations depends on whether the businesses would pay costs associated with obtaining and maintaining the training and certifications needed to administer injectables. Because these costs are associated with individuals wishing to engage in the administration of injectables, any business (small or otherwise) could avoid these costs by requiring employees to bear them.

(16) List the persons, groups or entities, including small businesses, that will be required to comply with the regulation. Approximate the number that will be required to comply.

There are no new compliance aspects associated with this rulemaking, which conforms the regulations to the amendments in the PBRA. All licensed pharmacists, pharmacy interns and pharmacy technicians who engage in or wish to engage in the administration of injectable medications, biologicals or immunizations

must comply with the regulation.
<p>(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.</p> <p>There are no adverse impacts associated with this regulation on individuals, small businesses or any other entity. The amendments in the PBRA benefit the public by increasing the number of qualified pharmacy professionals who can administer immunizations, and by expanding the relevant pool of individuals to whom injectables can be administered by pharmacists, pharmacy interns and registered pharmacy technicians.</p>
<p>(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.</p> <p>There are no costs or adverse effects associated with this regulation. Therefore, they are outweighed by its benefits. The amendments in the PBRA to which the board's regulations are conformed in this rulemaking benefit the public by: increasing the number of qualified pharmacy professionals who can administer injectables; expanding the relevant pool of individuals to whom injectables can be administered by pharmacists, pharmacy interns and registered pharmacy technicians; and increasing the pool of licensed professionals who can supervise the administration of injectables.</p>
<p>(19) Provide a specific estimate of the costs and/or savings to the regulated community associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.</p> <p>There are no costs or savings to the regulated community associated with this rulemaking.</p>
<p>(20) Provide a specific estimate of the costs and/or savings to the local governments associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.</p> <p>There are no costs or savings to local governments associated with this rulemaking.</p>
<p>(21) Provide a specific estimate of the costs and/or savings to the state government associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.</p> <p>There are no costs or savings to the state government associated with this rulemaking.</p>
<p>(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.</p> <p>There are no new or additional legal, accounting or consulting procedures or additional reporting, recordkeeping or other paperwork requirements required for implementation. Section 27.405 is amended to extend the existing recordkeeping requirements currently imposed on pharmacists and pharmacy interns</p>

in that section to also include pharmacy technicians now that they are delegable individuals for purposes of administering injectable medications, biologicals and immunizations. Section 27.406(d) is added to incorporate the requirement in section 1002(c) of the PBRA (40 P.S. §4556(c)) that supervising pharmacists report the administration of immunizations to the immunization registry maintained by the Department of Health within 72 hours of immunization administration and to the individual's primary care provider (a reporting task which a supervising pharmacist may delegate to a pharmacy intern or pharmacy technician).

(22a) Are forms required for implementation of the regulation?

There are no forms required for implementation of this regulation.

(22b) If forms are required for implementation of the regulation, **attach copies of the forms here**. If your agency uses electronic forms, provide links to each form or a detailed description of the information required to be reported. **Failure to attach forms, provide links, or provide a detailed description of the information to be reported will constitute a faulty delivery of the regulation.**

N/A

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY 2025-26	FY +1 2026-27	FY +2 2027-28	FY +3 2028-29	FY +4 2029-30	FY +5 2030-31
SAVINGS:						
Regulated Community	\$0	\$0	\$0	\$0	\$0	\$0
Local Government	\$0	\$0	\$0	\$0	\$0	\$0
State Government	\$0	\$0	\$0	\$0	\$0	\$0
Total Savings	\$0	\$0	\$0	\$0	\$0	\$0
COSTS:						
Regulated Community	\$0	\$0	\$0	\$0	\$0	\$0
Local Government	\$0	\$0	\$0	\$0	\$0	\$0
State Government	\$0	\$0	\$0	\$0	\$0	\$0
Total Costs	\$0	\$0	\$0	\$0	\$0	\$0
REVENUE LOSSES:						
Regulated Community	\$0	\$0	\$0	\$0	\$0	\$0
Local Government	\$0	\$0	\$0	\$0	\$0	\$0
State Government	\$0	\$0	\$0	\$0	\$0	\$0
Total Revenue Losses	\$0	\$0	\$0	\$0	\$0	\$0

(23a) Provide the past three-year expenditure history for programs affected by the regulation.

Program	FY -3 2022-2023 (actual)	FY -2 2023-2024 (actual)	FY -1 2024-2025 (projected)	Current FY 2025-2026 (budgeted)
State Board of Pharmacy	\$3,281,032	\$3,272,548	\$2,941,700	\$3,709,000

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Responses:

- (a) There is no adverse economic impact on small businesses (or any other size business) associated with this regulation.
- (b) There are no additional reporting, recordkeeping or administrative costs associated with this regulation. Section 1002 of the Pharmacy Benefit Reform Act (40 P.S. § 4556) extends certain recordkeeping and reporting requirements already imposed on pharmacists and pharmacy interns to include pharmacy technicians; such extension is reflected in conforming amendments in this rulemaking.
- (c) This regulation has no effect, fiscal or otherwise, on small businesses. The regulation is merely conforming to straightforward statutory amendments.
- (d) No less intrusive or less costly alternatives were identified; the amendments are to align the board's regulations with recent statutory changes.

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

The board has identified no special groups that need special provisions. The regulation mirrors and aligns with recent statutory amendments.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

No alternative regulatory provisions have been considered. This rulemaking brings the board's regulations

into conformity with recent statutory amendments.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
- b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
- c) The consolidation or simplification of compliance or reporting requirements for small businesses;
- d) The establishment of performance standards for small businesses to replace design or operational standards required in the regulation; and
- e) The exemption of small businesses from all or any part of the requirements contained in the regulation.

As this rulemaking has no adverse impact on small business, no regulatory flexibility analysis was conducted.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

The regulation is not based on any data.

(29) Include a schedule for review of the regulation including:

- | | |
|---|---|
| A. The length of the public comment period: | N/A |
| B. The date or dates on which any public meetings or hearings will be held: | There are no date(s) on which any public meetings or hearings will be held relative to this rulemaking. The board's upcoming public meeting dates are set forth in item (30) below. |
| C. The expected date of delivery of the final-form regulation: | The final-omitted rulemaking is expected to be delivered in Fall 2025. |
| D. The expected effective date of the final-form regulation: | Upon publication |
| E. The expected date by which compliance with the final-form regulation will be required: | Upon publication |

F. The expected date by which required permits, licenses or other approvals must be obtained:	N/A
<p>(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.</p> <p>The board continually reviews the efficacy of its regulations, as part of its annual review process under Executive Order 1996-1. The board reviews its regulatory proposals at regularly scheduled public meetings. In 2026, the board is scheduled to meet on February 24, April 28, July 7, August 25, October 20 and December 22, 2026.</p> <p>More information can be found on the Department’s website at www.dos.pa.gov.</p>	

CDL-1

**FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU**


(Pursuant to Commonwealth Documents Law)

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Independent Regulatory
Review Commission

February 4, 2026

DO NOT WRITE IN THIS SPACE

<p>Copy below is hereby approved as to form and legality. Attorney General</p> <p>BY: _____ (DEPUTY ATTORNEY GENERAL)</p> <p>_____ DATE OF APPROVAL</p> <p><input type="checkbox"/> Check if applicable Copy not approved. Objections attached.</p>	<p>Copy below is hereby certified to be a true and correct copy of a document issued, prescribed or promulgated by:</p> <p><u>State Board of Pharmacy</u> (AGENCY)</p> <p>DOCUMENT/FISCAL NOTE NO. <u>16A-5434</u></p> <p>DATE OF ADOPTION: _____</p> <p> BY: _____ Christine Roussel, Pharm.D., R.Ph.</p> <p>TITLE <u>Board Chairperson</u> (EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)</p>	<p>Copy below is hereby approved as to form and legality. Executive or Independent Agencies.</p> <p> Digitally signed by Cynthia K. Montgomery DN: cn=Cynthia K. Montgomery, o, ou, email=cymontgome@pa.gov, c=US Date: 2026.01.26 11:57:06 -05'00'</p> <p>BY: _____ (Deputy General Counsel, <u>Chief Counsel</u>, Independent Agency) (Strike inapplicable title)</p> <p><u>January 26, 2026</u> DATE OF APPROVAL</p> <p><input type="checkbox"/> Check if applicable. No Attorney General approval or objection within 30 days after submission.</p>
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FINAL RULEMAKING (WITH PROPOSED OMITTED)

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF PHARMACY**

49 PA CODE CHAPTER 27

§§ 27.12, 27.32, 27.402, 27.403, 27.405, 27.406 and 27.408

IMMUNIZATION UPDATES

The State Board of Pharmacy (board) hereby amends §§ 27.12, 27.32, 27.402, 27.403, 27.405, 27.406 and 27.408, to read as set forth in Annex A.

Effective Date

The amendments in this final-omitted rulemaking will be effective upon publication in the *Pennsylvania Bulletin*.

Statutory Authority

Section 6(k)(9) of the Pharmacy Act (act) (63 P.S. § 390-6(k)(9)) provides the board with the authority “to promulgate rules and regulations to effectuate the purposes of this act and to regulate . . . the practice of pharmacy for the protection and promotion of the public health, safety and welfare.” Under section 4(j) of the act (63 P.S. § 390-4(j)), the board is also authorized “to promulgate rules and regulations governing standards of practice and operation of pharmacies including, but not limited to, rules and regulations governing the method of advertising, promotion and standards for dispensing prescriptions, such regulations to be designed to insure methods of operation and conduct which protect the public health, safety and welfare and prevent practices or operations which may tend to lower professional standards of conduct, so as to endanger the public health and welfare.” This rulemaking aligns the board’s regulations with section 1002 of the Pharmacy Benefit Reform Act (PBRA) (40 P.S. § 4556) (formerly section 9.2 of the Pharmacy Act, 63 P.S. § 390-9.2, repealed).

Omission of Proposed Rulemaking

Section 204 of the Commonwealth Documents Law (CDL) (45 P.S. § 1204) authorizes the board to omit the procedures for proposed rulemaking in sections 201 and 202 of the CDL (45 P.S. §§ 1201 and 1202) under 45 P.S. § 1204(3) if the board “for good cause finds . . . that the procedures specified in sections 201 and 202 are in the circumstances impracticable, unnecessary,

or contrary to the public interest.” The board may also omit the procedures for proposed rulemaking if the regulation or change therein relates to “the interpretation of a self-executing act of Assembly or administrative regulation.” See 45 P.S. § 1204(1)(v). The board finds that publication of this rulemaking as proposed would be unnecessary and contrary to the public interest because it is limited solely to amendments that are needed to bring the board’s regulations into alignment with recently enacted statutory requirements.

Background and Purpose

Since 2006, pharmacists have been authorized to administer injectable medications, biologicals and immunizations to adults (individuals 18 years of age or older). On July 9, 2022, the board published final regulations (at 52 Pa.B. 3822) expanding that authority by establishing a standard for administering influenza immunizations to children 9 years of age or older, and authorizing pharmacy interns to administer injectable medications, biologicals and immunizations under the direct and immediate personal supervision of a pharmacist. The foregoing authority was further extended as a result of statutory amendments in the act of July 11, 2022 (P.L. 1224, No. 80) (Act 80 of 2022).

The 2022 amendments to the act authorized pharmacists and pharmacy interns to administer not just influenza immunizations but also COVID-19 immunizations. Additionally, the amendments allowed pharmacists and pharmacy interns to administer influenza and COVID-19 immunizations to individuals 5 years of age and older (the allowable minimum age was previously 9 years old). Additionally, the types of professionals – other than pharmacists – who can provide supervision to pharmacy interns when administering immunizations was expanded to include physicians, physician assistants (PAs) and certified registered nurse practitioners (CRNPs). Lastly, pharmacists previously could not delegate their authority to administer injectables, however, the

2022 amendments authorized a delegation of their authority to PAs, CRNPs, registered nurses (RNs) and licensed practical nurses (LPNs) for the purpose of administering influenza and COVID-19 immunizations.

In 2024, the act of July 17, 2024 (P.L. 852, No. 77) (Act 77 of 2024) amended the PBRA and effectively moved the provisions of section 9.2 and 9.5 of the act to new sections 1002 and 1003 of the PBRA (40 P.S. §§ 4556 and 4557). In repealing sections 9.2 and 9.5 of the act, the amendments provide that “[t]he addition of section 1002 of the [PBRA] is a continuation of sections 9.2 and 9.5 of the act of September 27, 1961 (P.L. 1700, No. 699), known as the Pharmacy Act.” This rulemaking conforms the board’s existing regulations with those amendments.

Specifically, the 2024 amendments to the PBRA extended the administration of injectable medications, biologicals and immunizations by pharmacy professionals even further. Under section 1002(a) of the PBRA (40 P.S. § 4556(a)), pharmacists and supervised pharmacy interns may administer injectable medications, biologicals and immunizations to individuals 8 years of age and older (the allowable minimum age was previously 18 years old). Additionally, under section 1002(e)(2), pharmacists may now delegate the authority to administer immunizations to pharmacy technicians (limited to administering only influenza and COVID-19 immunizations, and only to individuals 13 years of age or older), provided the pharmacy technician satisfies all of the requirements set forth in the PBRA and receives direct and immediate personal supervision from a qualified pharmacist.

The purpose of this final-omitted rulemaking is to align the Board’s regulations with section 1002 of the PBRA. This rulemaking will avoid the confusion that can arise when regulations do not reflect recent statutory changes that conflict with regulatory provisions. Updating this regulation to align with statutory amendments is crucial for maintaining clarity and consistency.

This, in turn, boosts stakeholders’ confidence in both the law and the regulations because they know they can rely on the regulations as being consistent with the intent of the relevant statute. Updating regulations in this manner also helps to limit the types of misinterpretations that can occur when the language of the regulation differs significantly from the language of the statute.

Description of Amendments

The board is amending §§ 27.12(c)(1) and 27.403(d) (relating to practice of pharmacy and delegation of duties; and conditions for administration) to conform to section 1002(b) of the PBRA (40 P.S. § 4556(b)), specifically, to reflect the addition of licensed professionals other than pharmacists – namely, physicians, PAs and CRNPs – who can provide the required supervision when pharmacy interns administer injectable medications, biologicals and immunizations.

Sections 27.32(a), and 27.402(b)(1) and (d)(1) (relating to continuing education; and application, renewal and reactivation procedures) are amended to account for the citation change needed as a result of the repeal of section 9.2 of the act and the enactment of section 1002 of the PBRA.

The board is amending §§ 27.403(a) and (d) to conform to section 1002(a) of the PBRA, specifically, to reflect the lowering of the minimum age of those to whom pharmacists and pharmacy interns may administer injectable medications, biologicals and immunizations from 18 years old to 8 years of age or older.

The board is further amending § 27.403(b) and (d) to conform to section 1002(a), specifically, to reflect the lowering of the minimum age of those to whom pharmacists and pharmacy interns can administer influenza immunizations from 9 years old to 5 years of age or older, and the expansion of the types of immunizations that can be administered to include COVID-19. Section 27.405(a)(6) (relating to recordkeeping) is likewise amended to add “COVID-19” to

the immunizations that require documentation of informed consent when administered to individuals under 18 years of age.

Several amendments are made to § 27.403(c) to address statutory amendments related to pharmacists' ability to delegate the authority to administer injectable medications, biologics and immunizations. New paragraph (1) is added to reflect the authorization in section 1002(e)(1) of the PBRA that allows pharmacists to delegate the administration of influenza and COVID-19 immunizations to CRNPs, PAs, RNs and LPNs. New paragraph (2) is added to conform to section 1002(e)(2) which authorizes delegation from pharmacists to pharmacy technicians solely in connection with the administration of influenza and COVID-19 immunizations to individuals 13 years of age or older under the direct and immediate personal supervision of a pharmacist, provided the pharmacy technician is registered with the board, has completed an Accreditation Council for Pharmacy Education (ACPE) approved training program, has a current certificate in CPR and has obtained liability insurance as required under § 27.408 (relating to professional liability insurance). The addition of pharmacy technicians as delegable individuals is further reflected in the addition of the words "or pharmacy technician" in §§ 27.403(e), 27.405(a), (a)(5) and (b), and 27.408(b).

Section 27.406 (relating to notification requirements) is amended to add new subsection (d), which reflects the requirement in section 1002(c) of the PBRA that supervising pharmacists report the administration of immunizations to the immunization registry maintained by the Department of Health within 72 hours of immunization administration and to the individual's primary care provider, and authorizes supervising pharmacists to delegate the reporting of immunization administration to a pharmacy intern or pharmacy technician. New subsection (e) is added to reflect the requirement in section 1002(d) that pharmacists, pharmacy interns and pharmacist technicians who administer influenza or COVID-19 immunizations to individuals under 18 years of age inform

the parent or adult caregiver of the importance of a well-child visit with a pediatrician or other licensed primary care provider and refer the patient as appropriate.

Section 27.408 is amended to reflect statutory amendments relating to professional liability insurance. New subsection (d) conforms to section 1002(b) and (e)(2)(ii)(D) of the PBRA, which provide that pharmacy interns and pharmacy technicians, respectively, who engage in the administration of injectable medications, biologicals or immunizations obtain professional liability insurance in the minimum amount of \$1,000,000 per occurrence or claims made, and further provides that pharmacy interns and pharmacy technicians who do not maintain the required professional liability insurance may not engage in the practice of administering injectable medications, biologicals and immunizations. New subsection (e) is added to align with section 1002(a)(6), which provides that pharmacists, pharmacy interns and pharmacy technicians who fail to maintain the required insurance coverage shall be subject to disciplinary action under section 5(a)(6) of the act (63 P.S. § 390-5(a)(6)).

Other non-substantive, technical amendments are made to provide consistency in § 27.405(a) (adding the phrase “injectable medications, biologicals and immunizations”), § 27.405(b) (adding the word “immunizations”) and § 27.408(b) (adding the phrase “of injectable medications, biologicals and immunizations”), as well as minor amendments to § 27.408(a) and (b) (replacing “\$1 million” with “\$1,000,000”).

Fiscal Impact and Paperwork Requirements

There is no fiscal impact and no paperwork requirements associated with this final-omitted rulemaking, which conforms the board’s regulations to current statutory provisions.

Regulatory Review

Under section 5.1(c) of the Regulatory Review Act (RRA) (71 P.S. § 745.5a(c)), on February

4, 2026, the board submitted copies of the regulation, with proposed rulemaking omitted, to the Independent Regulatory Review Commission (IRRC), and the respective chairpersons of the Consumer Protection and Professional Licensure Committee of the Senate (SCP/PLC) and the Professional Licensure Committee of the House of Representatives (HPLC). On the same date, the board submitted a copy of the regulation to the Office of Attorney General under section 204(b) of the Commonwealth Attorneys Act (71 P.S. § 732-204(b)).

Under sections 5.1(e) and (j.2) of the RRA (71 P.S. § 745.5a(e) and (j.2)), the amendments were deemed approved by the SCP/PLC and the HPLC on _____, 2025, and approved by IRRC on _____, 2025.

Additional Information

Additional information may be obtained by writing to Sara Trimmer, Executive Secretary, State Board of Pharmacy, P.O. Box 2649, Harrisburg, PA 17105-2649, or by email to ST-Pharmacy@pa.gov.

Findings

The board finds that:

- (1) Public notice of the board’s intention to amend its regulations under the procedures in sections 201 and 202 of the Commonwealth Documents Law (CDL) (45 P.S. §§ 1201 and 1202) has been properly omitted for good cause under section 204 of the CDL (45 P.S. § 1204) because publication of proposed rulemaking and public comment is unnecessary given that the amendments adopted by this order are required to conform to the amendments to the Pharmacy Act and the Pharmacy Benefit Reform Act.
- (2) The amendment of the board’s regulations in the manner provided in this order is

necessary and appropriate for the administration of the Pharmacy Act and the Pharmacy Benefit Reform Act.

Order

The board, acting under its authorizing statutes, orders that:

- (a) The regulations of the board at §§ 27.12, 27.32, 27.402, 27.403, 27.405, 27.406 and 27.408 are hereby amended to read as set forth in Annex A.
- (b) The board shall submit a copy of this final-omitted regulation to the Office of General Counsel and the Office of Attorney General for approval as to form and legality as required by law.
- (c) The board shall submit this final-form regulation to the Independent Regulatory Review Commission, the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee as required by law.
- (d) The board shall certify this final-omitted regulation and deposit it with the Legislative Reference Bureau as required by law.
- (e) This order shall take effect upon publication in the *Pennsylvania Bulletin*.

CHRISTINE ROUSSEL, Pharm.D., R.Ph.
Chairperson
State Board of Pharmacy

Annex A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

SUBPART A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 27. STATE BOARD OF PHARMACY

STANDARDS

§ 27.12. Practice of pharmacy and delegation of duties.

* * * * *

(c) *Pharmacy interns.*

(1) **[A] Except as provided in § 27.403(d), a** pharmacy intern may work only under the direct and immediate personal supervision of a pharmacist in accordance with subsection (b)(2).

* * * * *

**RENEWAL OF PHARMACIST LICENSE, PHARMACY TECHNICIAN
REGISTRATION AND PHARMACY PERMIT**

§ 27.32. Continuing education.

(a) The Board will renew the license of a pharmacist who has completed a minimum of 30 contact hours (3 CEU) of continuing education during the preceding biennial renewal period. Beginning with the license period commencing on October 1, 2011, 2 of the required 30 contact hours shall be completed in courses from the ACPE topic designator “Patient Safety.” In addition, for licensees with authority to administer injectable medications, biologicals and immunizations in accordance with **[section 9.2 of the act (63 P.S. § 390-9.2)] section 1002 of the Pharmacy Benefit Reform Act (40 P.S. § 4556)** and § 27.401 (relating to qualifications for authority), at least 2 of the required 30 hours must concern the administration of injectable medications,

biologicals and immunizations, including, but not limited to, disease epidemiology, vaccine characteristics, injection technique, emergency response to adverse events and related topics. Except as provided in subsection (h), only continuing education programs offered by ACPE-accredited providers of continuing pharmaceutical education targeted toward pharmacists are acceptable to the Board.

* * * * *

ADMINISTRATION OF INJECTABLE MEDICATIONS, BIOLOGICALS AND IMMUNIZATIONS

§ 27.402. Application, renewal and reactivation procedures.

* * * * *

(b) *Renewal.*

(1) A pharmacist who is the holder of the authority to administer injectable medications, biologicals and immunizations shall renew the authority every 2 years along with the pharmacist's license to practice pharmacy. Renewal requires completion of a form provided to the pharmacist by the Board in advance of the renewal period, payment of the fee specified by § 27.91, certification of completion of 2 hours of continuing education required by **[section 9.2 of the act (63 P.S. § 390-9.2)] section 1002 of the Pharmacy Benefit Reform Act (40 P.S. § 4556)** and § 27.32 (relating to continuing education), and proof of a current CPR certificate.

* * * * *

(d) *Reactivation.*

(1) A pharmacist who has had a lapsed authority for less than 2 years and seeks reactivation of the authority to administer injectable medications, biologicals and immunizations shall complete a form provided to the pharmacist by the Board, pay the

renewal fee specified by § 27.91, complete 2 hours of continuing education required by

[(section 9.2 of the act)] section 1002 of the Pharmacy Benefit Reform Act and § 27.32

and provide proof of a current CPR certificate.

* * * * *

§ 27.403. Conditions for administration.

(a) A pharmacist or pharmacy intern who is granted authority may administer injectable medications, biologicals and immunizations to persons who are **[more than 18] 8** years of age **or older**. **[A person is more than 18 years of age on the day following the person's 18th birthday.]**

(b) A pharmacist or pharmacy intern who is granted authority may administer influenza **and COVID-19** immunizations by injectable or needle-free delivery methods to persons **[9] 5** years of age or older.

(c) A pharmacist **who holds the authority to administer injectable medications, biologicals and immunizations** may **[not]** delegate the administration of injectable medications, biologicals and immunizations **[to another person.] only as follows:**

(1) Influenza and COVID-19 immunizations may be delegated to a certified registered nurse practitioner, physician assistant, registered nurse or licensed practical nurse.

(2) COVID-19 immunizations that are authorized or that are licensed by the United States Food and Drug Administration, and influenza vaccinations that are recommended by the Advisory Committee on Immunization Practices, may be delegated to a pharmacy technician for administration to individuals 13 years of age or older if the pharmacy technician is registered with the Board and the following

conditions are met:

- (i) The supervising qualified pharmacist is providing direct and immediate personal supervision to the registered pharmacy technician who is administering the immunizations or vaccinations.**
- (ii) The registered pharmacy technician has completed a practical training program that is approved by the ACPE and that includes hands-on injection technique and the recognition and treatment of emergency reactions to vaccines.**
- (iii) The registered pharmacy technician has a current certificate in basic cardiopulmonary resuscitation (CPR).**
- (iv) The registered pharmacy technician has obtained liability insurance as required under section 1002(e)(2)(ii)(D) of the Pharmacy Benefit Reform Act (40 P.S. § 4556(e)(2)(ii)(D)) and § 27.408 (relating to professional liability insurance) through the registered pharmacy technician's employer.**

(d) A pharmacy intern who **maintains liability insurance as required under section 1002(b) of the Pharmacy Benefit Reform Act (40 P.S. § 4556(b)) and § 27.408 and** has been authorized by the Board to administer injectable medications, biologicals and immunizations to persons who are **[more than 18] 8** years of age **or older** and influenza **and COVID-19** immunizations by injectable or needle-free delivery methods to persons **[9] 5** years of age or older under § 27.401 (relating to qualifications for authority) may do so only under the direct and immediate personal supervision of a pharmacist who holds an active authority to administer injectable medications, biologicals and immunizations, **or a physician, physician assistant or**

certified registered nurse practitioner.

(e) A pharmacist, **[or]** pharmacy intern **or pharmacy technician** shall administer injectable immunizations in accordance with treatment guidelines established by a physician and the Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices Guidelines or another competent authority approved by the Board.

§ 27.405. Recordkeeping.

(a) A pharmacist who administers an injectable medication, biological or immunization or who supervises the administration **of an injectable medication, biological or immunization** by a pharmacy intern **or pharmacy technician** shall maintain the following records regarding each administration for a minimum of 2 years:

- (1) The name, address and date of birth of the patient.
- (2) The date of the administration and site of the injection.
- (3) The name, dose, manufacturer, lot number and expiration date of the medication, biological or immunization.
- (4) The name and address of the patient's primary health care provider, as identified by the patient.
- (5) The name or identifiable initials of the administering pharmacist. If the administration was performed by a pharmacy intern **or pharmacy technician**, the name or identifiable initials of the pharmacy intern **or pharmacy technician** and the supervising pharmacist.
- (6) Documentation of informed consent for administration of injectable medications, biologicals and immunizations, and in the case of influenza **or COVID-19** immunizations administered to patients under 18 years of age, documentation of written parental consent.

(7) The nature of an adverse reaction and who was notified.

(b) A pharmacist who administers an immunization or supervises the administration **of an immunization** by a pharmacy intern **or pharmacy technician** shall also maintain the following records regarding each administration for a minimum of 2 years:

(1) An identification of the Vaccine Information Statement (VIS) that was provided.

(2) The date of publication of the VIS.

(3) The date and to whom the VIS was provided.

(c) In an institution, the information required to be maintained in subsections (a) and (b) may be maintained in the patients' medical records.

§ 27.406. Notification requirements.

* * * * *

(c) For purposes of this section, the term “participating/protocol physician” means the physician or institution that has entered into a written protocol with an authorized pharmacist, which governs the administration of injectable medications, biologicals and immunizations for a specific period of time or purpose as specified in § 27.404(c) (relating to authority and requirements).

(d) A supervising pharmacist shall report the administration of immunizations to the immunization registry maintained by the Department of Health within 72 hours of immunization administration and to the individual's primary care provider in accordance with subsection (a)(1). A supervising pharmacist may delegate the reporting of immunization administration to a pharmacy intern or pharmacy technician.

(e) A pharmacist, pharmacy intern or pharmacist technician who administers an influenza or COVID-19 immunization to an individual under 18 years of age shall inform

the parent or adult caregiver of the importance of a well-child visit with a pediatrician or other licensed primary care provider and refer the patient as appropriate.

§ 27.408. Professional liability insurance.

(a) To qualify for authority to administer injectable medications, biologicals and immunizations, a pharmacist must certify the maintenance of professional liability insurance coverage in the minimum amount of **[\$1 million] \$1,000,000** per occurrence or claims made.

(b) A pharmacist who does not maintain the required professional liability insurance in the minimum amount of **[\$1 million] \$1,000,000** may not engage in the practice of administering injectable medications, biologicals and immunizations and may not supervise the administration **of injectable medications, biologicals and immunizations** by a pharmacy intern **or pharmacy technician**.

(c) A pharmacist shall, upon request, make available to the Board or its agents all records relating to the pharmacist's maintenance of professional liability insurance, including policies, cancelled checks, receipts or other proofs of premium payment.

(d) Pharmacy interns under section 1002(b) of the Pharmacy Benefit Reform Act (40 P.S. § 4556(b)), and pharmacy technicians under section 1002(e)(2)(ii)(D) of the Pharmacy Benefit Reform Act (40 P.S. § 4556(e)(2)(ii)(D)), who engage in the administration of injectable medications, biologicals or immunizations shall obtain professional liability insurance in the minimum amount of \$1,000,000 per occurrence or claims made. A pharmacy intern or pharmacy technician who does not maintain the required professional liability insurance may not engage in the practice of administering injectable medications, biologicals and immunizations.

(e) A pharmacist, pharmacy intern or pharmacy technician who fails to maintain

insurance coverage as required under this section shall be subject to disciplinary action

under section 5(a)(6) of the act (63 P.S. § 390-5(a)(6)).



**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF PHARMACY**

**Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-7156**

February 4, 2026

The Honorable George D. Bedwick, Chairman
INDEPENDENT REGULATORY REVIEW COMMISSION
Forum Place
555 Walnut Street, Suite 804
Harrisburg, PA 17101

Re: Final Omitted Rulemaking
State Board of Pharmacy
16A-5434 Pharmacy Immunization Updates

Dear Chairman Bedwick:

Enclosed is a copy of a final omitted rulemaking package of the State Board of Pharmacy pertaining to Pharmacy Immunization Updates.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,

A handwritten signature in blue ink, appearing to read "CR" followed by a stylized flourish.

Christine Roussel, Pharm.D., R.Ph., Chairperson
State Board of Pharmacy

CR/MJF/jpp
Enclosure

cc: Arion Claggett, Acting Commissioner of Professional and Occupational Affairs
K. Kalonji Johnson, Deputy Secretary for Regulatory Programs
Robert Beecher, Policy Director, Department of State
Miguel Ruiz, Assistant Deputy Secretary of Policy and Planning
Andrew LaFratte, Deputy Policy Director, Department of State
Jason C. Giurintano, Deputy Chief Counsel, Department of State
Jacqueline A. Wolfgang, Senior Regulatory Counsel, Department of State
Marc J. Farrell, Regulatory Counsel, Department of State
Sean C. Barrett, Board Counsel, State Board of Pharmacy
State Board of Pharmacy

From: [Monoski, Jesse](#)
To: [Porta, Jason](#); [Dimm, Ian](#); [Kelly, Joseph](#); [Vazquez, Enid](#)
Subject: Re: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates
Date: Wednesday, February 4, 2026 8:04:08 AM
Attachments: [image001.png](#)

Received.

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Independent Regulatory
Review Commission

Thank you,

February 4, 2026

Jesse Monoski

Get [Outlook for Android](#)

From: Porta, Jason <jporta@pa.gov>
Sent: Wednesday, February 4, 2026 7:43:54 AM
To: Monoski, Jesse <jesse.monoski@pasenate.com>; Dimm, Ian <ian.dimm@pasenate.com>; Kelly, Joseph <joseph.kelly@pasenate.com>; Vazquez, Enid <enid.vazquez@pasenate.com>
Subject: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates

■ **EXTERNAL EMAIL** ■

Please be advised that the State Board of Pharmacy is electronically delivering the below-identified final omitted rulemaking today Wednesday, February 4, 2026.

- **16A-5434 Pharmacy Immunization Updates**

This rulemaking is needed to conform regulations of the State Board of Pharmacy (board) to recent statutory amendments resulting from passage of the act of July 11, 2022 (P.L. 1224, No. 80) (Act 80 of 2022) and the act of July 17, 2024 (P.L. 852, No. 77) (Act 77 of 2024), each of which expanded the authority of pharmacy professionals, including pharmacists, pharmacy interns and pharmacy technicians, to administer injectable medications, biologicals and immunizations. The two acts lowered the age ranges of persons to whom certain injectables can be administered, extended pharmacists' ability to delegate authority to administer injectables, and adjusted requirements related to the direct and immediate personal supervision that must be provided when pharmacy interns and pharmacy technicians administer injectables.

The State Board of Pharmacy is requesting a written (email) confirmation of receipt of this delivery from the designated contact person(s) from your office for the Majority or Minority Chair of your office effectuating the electronic delivery.

Thank you for your attention to this matter.



Jason Porta | Legal Assistant 2
Office of Chief Counsel | Department of State
Governor's Office of General Counsel
P.O. Box 69523 | Harrisburg, PA 17106-9523
Office Phone 717.783.7200 | Fax: 717.787.0251
jporta@pa.gov | www.dos.pa.gov
Preferred Pronouns: He/Him

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February 4, 2026

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From: [Orchard, Kari L.](#)
To: [Porta, Jason](#); [Barton, Jamie](#); [Brett, Joseph D.](#)
Subject: RE: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates
Date: Wednesday, February 4, 2026 1:23:11 PM
Attachments: [image001.png](#)

Independent Regulatory
Review Commission

February 4, 2026

Hi Jason,

Received. We had back-to-back voting and informational meetings as a committee this morning.

Thanks,

Kari Orchard

Executive Director (D) | House Professional Licensure Committee
Chairman Frank Burns, 72nd Legislative District

From: Porta, Jason <jporta@pa.gov>
Sent: Wednesday, February 4, 2026 12:31 PM
To: Orchard, Kari L. <KOrchard@pahouse.net>; Barton, Jamie <JBarton@pahouse.net>; Brett, Joseph D. <JBrett@pahouse.net>
Subject: RE: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates
Importance: High

Good afternoon, this is a reminder that I need a reply as soon as possible to effectuate service.

Thank you,



Jason Porta | Legal Assistant 2
Office of Chief Counsel | Department of State
Governor's Office of General Counsel
P.O. Box 69523 | Harrisburg, PA 17106-9523
Office Phone 717.783.7200 | Fax: 717.787.0251
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From: Porta, Jason

Sent: Wednesday, February 4, 2026 7:44 AM

To: Orchard, Kari L. <korchard@pahouse.net>; Barton, Jamie <jbarton@pahouse.net>; Brett, Joseph D. <jbrett@pahouse.net>

Subject: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates

Importance: High

Please be advised that the State Board of Pharmacy is electronically delivering the below-identified final omitted rulemaking today Wednesday, February 4, 2026.

- **16A-5434 Pharmacy Immunization Updates**

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Jason Porta | Legal Assistant 2
Office of Chief Counsel | Department of State
Governor's Office of General Counsel
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February 4, 2026

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From: [Nicole Sidle](#)
To: [Porta, Jason](#); [Cindy Sauder](#)
Subject: RE: [EXTERNAL]: RE: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates
Date: Wednesday, February 4, 2026 12:48:30 PM
Attachments: [image001.png](#)

RECEIVED

Good Afternoon—

Independent Regulatory
Review Commission

This has been received. Thanks!

February 4, 2026

Nicole

From: Porta, Jason <jporta@pa.gov>
Sent: Wednesday, February 4, 2026 12:31 PM
To: Nicole Sidle <Nsidle@pahousegop.com>; Cindy Sauder <Csauder@pahousegop.com>
Subject: [EXTERNAL]: RE: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates
Importance: High

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Thank you,



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From: Porta, Jason
Sent: Wednesday, February 4, 2026 7:44 AM
To: Nicole Sidle <nsidle@pahousegop.com>; Cindy Sauder <csauder@pahousegop.com>
Subject: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates
Importance: High

Please be advised that the State Board of Pharmacy is electronically delivering the below-identified final omitted rulemaking today Wednesday, February 4, 2026.

- **16A-5434 Pharmacy Immunization Updates**

This rulemaking is needed to conform regulations of the State Board of Pharmacy (board) to recent statutory amendments resulting from passage of the act of July 11, 2022 (P.L. 1224, No. 80) (Act 80 of 2022) and the act of July 17, 2024 (P.L. 852, No. 77) (Act 77 of 2024), each of which expanded the authority of pharmacy professionals, including pharmacists, pharmacy interns and pharmacy technicians, to administer injectable medications, biologicals and immunizations. The two acts lowered the age ranges of persons to whom certain injectables can be administered, extended pharmacists' ability to delegate authority to administer injectables, and adjusted requirements related to the direct and immediate personal supervision that must be provided when pharmacy interns and pharmacy technicians administer injectables.

The State Board of Pharmacy is requesting a written (email) confirmation of receipt of this delivery from the designated contact person(s) from your office for the Majority or Minority Chair of your office effectuating the electronic delivery.

Thank you for your attention to this matter.

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Independent Regulatory
Review Commission



Jason Porta | Legal Assistant 2

Office of Chief Counsel | Department of State
Governor's Office of General Counsel
P.O. Box 69523 | Harrisburg, PA 17106-9523
Office Phone 717.783.7200 | Fax: 717.787.0251
jporta@pa.gov | www.dos.pa.gov
Preferred Pronouns: He/Him

February 4, 2026

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From: [Montgomery, Cynthia](#)
To: [Porta, Jason](#); [Wolfgang, Jacqueline](#)
Cc: [GC, Regulations](#); [Abelson, Addie](#); [Worthington, Amber](#)
Subject: OAG's acknowledgement of delivery - 16A-5434 - Immunization Update attached
Date: Wednesday, February 4, 2026 9:21:29 AM
Attachments: [Re DELIVERY NOTICE OF REGULATION # 16A-5434 Pharmacy Immunization Updates.msg](#)
[image001.png](#)

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February 4, 2026

Jason/Jacq –

Attached is the email exchange from the OAG acknowledging receipt of the delivery of 16A-5434.

Cyndi



Cynthia Montgomery | Deputy General Counsel
Governor's Office of General Counsel
30 North Third Street, Suite 200, Harrisburg, PA 17101
Phone: 717.783.6563 | Fax: 717.787.1788
cymontgome@pa.gov | www.ogc.pa.gov

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From: [Elliott, Amy M.](#)
To: [Montgomery, Cynthia](#); [Trotter, Carolyn](#)
Cc: [GC, Regulations](#); [Abelson, Addie](#)
Subject: Re: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates
Date: Wednesday, February 4, 2026 9:17:48 AM
Attachments: [image001.png](#)
[image002.png](#)

February 4, 2026

Receipt acknowledged.

From: Montgomery, Cynthia <cymontgome@pa.gov>
Sent: Wednesday, February 4, 2026 9:12 AM
To: Elliott, Amy M. <aelliott@attorneygeneral.gov>; Trotter, Carolyn <ctrotter@attorneygeneral.gov>
Cc: GC, Regulations <RA-GCREGULATIONS@pa.gov>; Abelson, Addie <adabelson@pa.gov>
Subject: FW: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates

Amy –

Attached for your review is the official delivery of a final-omitted rulemaking (16A-5434) from the State Board of Pharmacy, as follows:

DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF PHARMACY
TITLE 49, CHAPTER 27
IMMUNIZATION UPDATES

PLEASE CONFIRM RECEIPT OF THIS FINAL-OMITTED RULEMAKING SO THE BOARD CAN CONFIRM DELIVERY.

Thanks, so much.

Cyndi



Cynthia Montgomery | Deputy General Counsel
Governor's Office of General Counsel
30 North Third Street, Suite 200, Harrisburg, PA 17101
Phone: 717.783.6563 | Fax: 717.787.1788
cymontgome@pa.gov | www.ogc.pa.gov

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February 4, 2026

From: Porta, Jason <jporta@pa.gov>
Sent: Wednesday, February 4, 2026 7:44 AM
To: Abelson, Addie <adabelson@pa.gov>; Keys, Jaclyn (GC) <jackey@pa.gov>; GC, Regulations <RA-GCREGULATIONS@pa.gov>; Montgomery, Cynthia <cymontgome@pa.gov>
Subject: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates
Importance: High

Please effectuate and confirm delivery of the attached zip file to the Office of the Attorney General as part of the delivery described below.

Please be advised that the State Board of Pharmacy is electronically delivering the below-identified final omitted rulemaking today Wednesday, February 4, 2026.

- **16A-5434 Pharmacy Immunization Updates**

This rulemaking is needed to conform regulations of the State Board of Pharmacy (board) to recent statutory amendments resulting from passage of the act of July 11, 2022 (P.L. 1224, No. 80) (Act 80 of 2022) and the act of July 17, 2024 (P.L. 852, No. 77) (Act 77 of 2024), each of which expanded the authority of pharmacy professionals, including pharmacists, pharmacy interns and pharmacy technicians, to administer injectable medications, biologicals and immunizations. The two acts lowered the age ranges of persons to whom certain injectables can be administered, extended pharmacists' ability to delegate authority to administer injectables, and adjusted requirements related to the direct and immediate personal supervision that must be provided when pharmacy interns and pharmacy technicians administer injectables.

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Thank you for your attention to this matter.



Jason Porta | Legal Assistant 2

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Office of Chief Counsel | Department of State
Governor's Office of General Counsel
P.O. Box 69523 | Harrisburg, PA 17106-9523
Office Phone 717.783.7200 | Fax: 717.787.0251
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From: [Smeltz, Jennifer](#)
To: [Porta, Jason](#)
Subject: RE: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates
Date: Wednesday, February 4, 2026 8:37:38 AM
Attachments: [image001.png](#)

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Received.

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*Jen Smeltz, Executive Director
Consumer Protection and Professional Licensure Committee
Office of Senator Pat Stefano
Phone: (717) 787-7175*

February 4, 2026

From: Porta, Jason <jporta@pa.gov>
Sent: Wednesday, February 4, 2026 7:44 AM
To: Smeltz, Jennifer <jmsmeltz@pasen.gov>
Cc: Worthington, Amber <agontz@pa.gov>; Roland, Joel <joeroland@pa.gov>
Subject: DELIVERY NOTICE OF: REGULATION # 16A-5434 Pharmacy Immunization Updates
Importance: High

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Jason Porta | Legal Assistant 2

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