OFFICE OF THE GOVERNOR
STATE OF HAWAI'I

EIGHTH PROCLAMATION
RELATING TO PHARMACIST-PROVIDED VACCINATION SERVICES

By the authority vested in me by the Constitution and laws of the State of Hawai'i, to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, Josh Green, M.D., Governor of the State of Hawai'i, hereby proclaim as follows:

WHEREAS, as of February 24, 2010, the U.S. Centers for Disease Control and Prevention has universally recommended annual influenza vaccinations for all persons aged six months and older who do not have contraindications to the vaccination;

WHEREAS, influenza is a highly infectious disease associated with serious illnesses, hospitalizations, and over 250 deaths per year in Hawai'i.

WHEREAS, on January 30, 2020, the World Health Organization declared COVID-19 a public health emergency of international concern;

WHEREAS, COVID-19 is a highly infectious disease that has caused over 2,000 deaths in Hawai'i and continues to cause hospitalization of Hawai'i residents;

WHEREAS, the COVID-19 pandemic strained the State's healthcare system and negatively impacted the State's economy;

WHEREAS, COVID-19 and influenza continue to pose a danger to the health, safety, and welfare of the people of Hawai'i;

WHEREAS, the introduction of the COVID-19 vaccine and the high vaccination rates in the State successfully reduced the rates of COVID-19 infection, hospitalizations, and mortality;

WHEREAS, each flu season, influenza vaccination is estimated to prevent 40,000 to 50,000 illnesses, 18,000 to 22,000 medical visits, 700 to 800 hospitalizations, and 40 to 60 deaths in Hawaii;

WHEREAS, broad access to COVID-19 and influenza vaccines for all residents remains the best defense to protect public health and reduce strain on the State's healthcare system;

WHEREAS, the FDA approved influenza vaccines for the 2026-27 influenza season, including the first mRNA-based influenza vaccine;

WHEREAS, on August 27, 2026, the FDA approved COVID-19 vaccines for the 2026-27 vaccination season, but only for people over the age of sixty-five (65) and for certain younger individuals with at least one underlying condition;

WHEREAS, the FDA's August 27, 2026, decision restricts access to the COVID-19 vaccine for healthy individuals age six (6) months to sixty-four (64) years who wish to receive it;

WHEREAS, the FDA has not provided any evidence that the COVID-19 vaccine poses any more risk of harm to a healthy individual than individuals over the age of sixty-five (65) or individuals six (6) months to sixty-four (64) years of age with at least one underlying condition;

WHEREAS, as of November 6, 2026, the ACIP has not issued recommendations for the 2026-27 COVID-19 and influenza vaccines so there is currently an absence of ACIP guidance for the administration of updated 2026-27 COVID-19 and influenza vaccines;

WHEREAS, the actions by the FDA and ACIP create additional barriers, without a scientific basis, for individuals to receive 2026-27 COVID-19 and influenza vaccines;

WHEREAS, Hawai'i as a member of and through the West Coast Health Alliance has issued evidence-based COVID-19 vaccination recommendations that include vaccinating all children age six (6) to twenty-three (23) months, those who are planning pregnancy or are pregnant or postpartum, individuals with close contact with an individual at high risk of a severe COVID-19 infection, and anyone else age two (2) to sixty-four (64) years who chooses to reduce the risk of severe illness from COVID-19, in addition to the FDA approved uses;

WHEREAS, Hawai'i as a member of and through the West Coast Health Alliance has issued evidence-based influenza vaccination recommendations that include vaccinating all persons age six (6) months and older without contraindications;

WHEREAS, on September 22, 2025, November 18, 2025, January 16, 2026, March 16, 2026, May 14, 2026, July 10, 2026, and September 8, 2026, I issued my first,

second, third, fourth, fifth, sixth, and seventh proclamations relating to pharmacist-provided vaccination services, respectively;

WHEREAS, it is necessary to ensure COVID-19 and influenza vaccines remain accessible to keep the public healthy and reduce incidence of COVID-19 and influenza disease, which pose a significant public health threat without adequate preventive measures;

WHEREAS, pharmacists play a critical role in increasing patient access to vaccines, and are the primary point of access for vaccinations in many communities in Hawai'i, thereby reducing the burden of vaccine-preventable diseases;

WHEREAS, it is necessary to maintain uninterrupted pharmacist authority to order and administer clinically appropriate COVID-19 and influenza vaccinations to ensure public health and safety;

WHEREAS, without this emergency proclamation, pharmacists would be prevented from administering COVID-19 and influenza vaccines to individuals without a prescription when appropriate and without contraindications;

WHEREAS, under chapter 127A, Hawaii Revised Statutes (HRS), emergency powers are conferred on the Governor of the State of Hawai'i to respond to disasters or emergencies, and to protect the public health, safety, and welfare, and to preserve the lives, property, and environment of the State;

WHEREAS, it is necessary to supplement my Seventh Proclamation Relating to Pharmacist-Provided Vaccination Services to ensure a continued and effective response to this emergency;

NOW, THEREFORE, I, JOSH GREEN, M.D., Governor of the State of Hawai'i, hereby determine that an emergency or disaster contemplated by section 127A-14, HRS, has occurred in the State of Hawai'i. I hereby authorize and invoke the following emergency provisions, if not already effective by virtue of this Proclamation:

I. Suspension of Laws

I hereby exercise my authority under paragraph 127A-13(a)(2), HRS, to suspend the following state laws, as allowed by federal law, only to the extent necessary to allow pharmacists to administer COVID-19 and influenza vaccines without a prescription from a patient's primary care provider.

Section 127A-30, HRS, **rental or sale of essential commodities during a state of emergency; prohibition against price increases**, because the automatic application of this provision is not needed for this emergency. The invocations and suspensions of section 127A-30, HRS, contained in any other emergency proclamations are not affected by this Proclamation.

Section 461-11.4(a)(1) & (a)(2), HRS, **vaccinations; children**, to the extent necessary to allow pharmacists to order and administer COVID-19 and influenza vaccines, when not medically contraindicated, to individuals over the age of three (3), subject to the attached Governor's emergency rules. The only portion of section 461-11.4(a)(2), HRS, that is suspended for the specific purpose described in the immediately preceding sentence is the language "administered in accordance with the recommendations of the Advisory Committee on Immunization Practices of the United States Department of Health and Human Services."

Pursuant to section 127A-25, HRS, I hereby adopt the Rules Relating to Pharmacist Administration of COVID-19 and Influenza Vaccines attached hereto. These rules shall have the force and effect of law.

II. Severability

If any provision of this Proclamation is rendered or declared illegal for any reason, or shall be invalid or unenforceable, such provision shall be modified or deleted, and the remainder of this Proclamation and the application of such provision to other persons or circumstances shall not be affected thereby but shall be enforced to the greatest extent permitted by applicable law.

III. Enforcement

No provision of this Proclamation, or any rule or regulation hereunder, shall be construed as authorizing any private right of action to enforce any requirement of this Proclamation, or of any rule or regulation. Unless the Governor, Director of Emergency Management, or their designee issues an express order to a non-judicial public officer, no provision of this Proclamation, or any rule or regulation hereunder, shall be construed as imposing any ministerial duty upon any non-judicial public officer and shall not bind the officer to any specific course of action or planning in response to the emergency or interfere with the officer's authority to utilize his or her discretion.

I FURTHER DECLARE that this Proclamation is not intended to create, and does not create, any rights or benefits, whether substantive or procedural, or enforceable at law or in equity, against the State of Hawai'i, the counties of this State, or any State or County agencies, departments, entities, officers, employees, or any other person.

I FURTHER DECLARE that the disaster emergency relief period shall commence immediately and continue through January 5, 2027, unless terminated or superseded by separate proclamation, whichever shall occur first. Following the termination of a disaster emergency relief period, any contracts, agreements, procurements, programs, or employment of personnel entered into, started, amended, or continued by reason of the provisions of the proclamation relating to this emergency shall continue in full force and effect to the extent allowed by law.

Done at the State Capitol, this
November 6, 2026

JOSH GREEN, M.D.,
Governor of Hawai'i

APPROVED:

Anne E. Lopez

ANNE E. LOPEZ,
Attorney General, State of Hawai'i

Rules Relating to Pharmacist Administration of COVID-19 and Influenza Vaccines

§1 Purpose and Authority
§2 Administration of COVID-19 and Influenza Vaccines

§1 Purpose and Authority. These rules are adopted pursuant to sections 127A-11, 12, 13, and 25, Hawaii Revised Statutes, to respond to the pharmacist-administered COVID-19 and influenza vaccine emergency declared by the Governor. The following rule is necessary to enable pharmacists to continue administering COVID-19 and influenza vaccines in accordance with the West Coast Health Alliance vaccine recommendations and the Hawai'i Department of Health guidance. These rules have the force and effect of law.

§2 Administration of COVID-19 and influenza vaccines. COVID-19 and influenza vaccines ordered and administered by a pharmacist shall be done in accordance with COVID-19 and influenza vaccine recommendations by the West Coast Health Alliance and the Hawai'i Department of Health guidance.