

SENATE BILL 346

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5lr1580
CF 5lr0474

By: **Senators Pugh, Middleton, Bates, Klausmeier, Madaleno, Montgomery,
Nathan-Pulliam, Salling, Waugh, and Young**

Introduced and read first time: February 6, 2015

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Pharmacists – Scope of Practice – Revisions**

3 FOR the purpose of authorizing certain pharmacists to administer drugs or biological
4 products under certain circumstances in accordance with certain regulations;
5 authorizing certain pharmacists to prescribe certain medications under certain
6 circumstances in accordance with certain protocols and certain regulations; defining
7 certain terms; altering certain definitions; and generally relating to the authority of
8 pharmacists to administer and prescribe medication.

9 BY repealing and reenacting, with amendments,
10 Article – Health Occupations
11 Section 12–101(b) and (t)
12 Annotated Code of Maryland
13 (2014 Replacement Volume)

14 BY adding to
15 Article – Health Occupations
16 Section 12–509 and 12–510
17 Annotated Code of Maryland
18 (2014 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Health Occupations**

22 12–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) “Authorized prescriber” means any licensed dentist, licensed physician,
2 licensed podiatrist, licensed veterinarian, certified nurse midwife to the extent permitted
3 in § 8–601 of this article, certified nurse practitioner to the extent permitted in § 8–508 of
4 this article, or other individual authorized by law to prescribe prescription or
5 nonprescription drugs or devices.

6 (2) **“AUTHORIZED PRESCRIBER” INCLUDES A LICENSED PHARMACIST**
7 **IN ACCORDANCE WITH § 12–510 OF THIS TITLE.**

8 (t) (1) “Practice pharmacy” means to engage in any of the following activities:

9 (i) Providing pharmaceutical care;

10 (ii) Compounding, dispensing, or distributing prescription drugs or
11 devices;

12 (iii) Compounding or dispensing nonprescription drugs or devices;

13 (iv) Monitoring prescriptions for prescription and nonprescription
14 drugs or devices;

15 (v) Providing information, explanation, or recommendations to
16 patients and health care practitioners about the safe and effective use of prescription or
17 nonprescription drugs or devices;

18 (vi) Identifying and appraising problems concerning the use or
19 monitoring of therapy with drugs or devices;

20 (vii) Acting within the parameters of a therapy management contract,
21 as provided under Subtitle 6A of this title;

22 (viii) Administering vaccinations in accordance with § 12–508 of this
23 title **OR OTHER DRUGS AND BIOLOGICAL PRODUCTS IN ACCORDANCE WITH § 12–509**
24 **OF THIS TITLE;**

25 (ix) Delegating a pharmacy act to a registered pharmacy technician,
26 pharmacy student, or an individual engaged in a Board approved pharmacy technician
27 training program;

28 (x) Supervising a delegated pharmacy act performed by a registered
29 pharmacy technician, pharmacy student, or an individual engaged in a Board approved
30 pharmacy technician training program; [or]

31 (xi) Providing drug therapy management in accordance with §
32 19–713.6 of the Health – General Article; **OR**

1 **(XII) PRESCRIBING DRUGS IN ACCORDANCE WITH § 12-510 OF**
2 **THIS TITLE.**

3 (2) “Practice pharmacy” does not include the operations of a person who
4 holds a permit issued under § 12-6C-03 of this title.

5 **12-509.**

6 **IN ADDITION TO THE AUTHORITY GRANTED TO A PHARMACIST UNDER §**
7 **12-508 OF THIS SUBTITLE, A PHARMACIST MAY ADMINISTER A DRUG OR**
8 **BIOLOGICAL PRODUCT THAT IS PRESCRIBED BY AN AUTHORIZED PRESCRIBER IN**
9 **ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.**

10 **12-510.**

11 **(A) PURSUANT TO STANDARD PROTOCOLS ADOPTED BY THE BOARD, A**
12 **LICENSED PHARMACIST MAY PRESCRIBE SELF-ADMINISTERED MEDICATIONS THAT:**

13 **(1) DO NOT REQUIRE A DIAGNOSIS; OR**

14 **(2) TREAT URGENT OR EMERGENT CONDITIONS.**

15 **(B) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THE**
16 **PROVISIONS OF THIS SECTION.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2015.