

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 346 (Senator Pugh, *et al.*)

Education, Health, and Environmental Affairs

Rules and Executive Nominations

Pharmacists - Scope of Practice - Administration of Drugs

This bill authorizes a pharmacist, in accordance with regulations adopted by the State Board of Pharmacy, to administer a “self-administered drug” prescribed by an “authorized prescriber.”

Fiscal Summary

State Effect: The board can promulgate regulations using existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: Potential meaningful for small business pharmacies that may expand their services under the bill.

Analysis

Bill Summary: “Self-administered drug” means a drug that is regularly administered by the patient for whom the drug is prescribed or by an individual who is not otherwise authorized to administer drugs under the Health Occupations Article. “Self-administered drug” includes eyedrops and a drug that is administered by intramuscular or subcutaneous injection.

The bill also alters the definition of “authorized prescriber” in the Maryland Pharmacy Act to include *any advanced practice nurse with prescriptive authority under § 8-508 of the Health Occupations Article.*

Current Law: An individual must be licensed by the board before the individual may practice pharmacy in the State.

The practice of pharmacy includes administering vaccinations under specified circumstances. Chapters 255 and 256 of 2013 expanded the authority of pharmacists to administer vaccinations. For individuals ages 11 to 17, a pharmacist may administer a vaccination listed in the U.S. Centers for Disease Control and Prevention's (CDC) recommended immunization schedule if the individual has a prescription from an authorized prescriber. For adults, a pharmacist may administer a vaccination listed in CDC's recommended immunization schedule or *Health Information for International Travel* if the vaccination is administered under a written protocol that (1) is vaccine specific and (2) meets criteria established in regulation by the Department of Health and Mental Hygiene, in consultation with the boards of pharmacy, physicians, and nursing. A prescription is not required to administer these vaccinations to an individual age 18 or older.

Under the Drug Therapy Management program, a physician and a pharmacist may enter into a therapy management contract that specifies treatment protocols that may be used to provide care to a patient. A pharmacist may order laboratory tests and other patient care measures related to monitoring or improving the outcomes of drug or device therapy based on disease-specific, mutually agreed-upon protocols. Physicians and pharmacists who enter into such agreements must submit a copy of the agreement and any subsequent modifications to their respective licensing board.

“Authorized prescriber” means any licensed dentist, licensed physician, licensed podiatrist, licensed veterinarian, certified nurse midwife to the extent permitted in § 8-601 of the Health Occupations Article, certified nurse practitioner to the extent permitted in § 8-508 of the Health Occupations Article, or other individual authorized by law to prescribe prescription or nonprescription drugs or devices.

Additional Information

Prior Introductions: None.

Cross File: HB 657 (Delegate Krebs, *et al.*) - Health and Government Operations.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

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