

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

Senate Bill 626 (Senators Montgomery and Lee)
Education, Health, and Environmental Affairs Health and Government Operations

**Registered Nurses - Local Health Departments - Requirements for Personally
Preparing and Dispensing Drugs and Devices**

This bill authorizes a registered nurse who complies with a specific formulary and other specified requirements to personally prepare and dispense prescription drugs and devices in a local health department (1) in accordance with the Overdose Response Program or the Expedited Partner Therapy Pilot Program or (2) to patients in need of communicable disease, alcohol and drug abuse, family planning, or reproductive health services.

A local health department that employs a registered nurse must be subject to inspection by the department. The bill also establishes the Committee on Registered Nurses Personally Preparing and Dispensing Drugs and Devices in Local Health Departments to develop, approve, and annually review a formulary for use by registered nurses.

Fiscal Summary

State Effect: Any additional workload to establish and administer training and develop, approve, and annually review a formulary can be handled by the Department of Health and Mental Hygiene with existing budgeted resources. Revenues are not affected.

Local Effect: The bill may result in some operational efficiencies at local health departments; however, it generally codifies current practice.

Small Business Effect: None.

Analysis

Bill Summary: “Personally prepare and dispense” means to physically prepare a prescription, perform a final check of the prescription before dispensing it to a patient, and not delegate any step of the dispensing process.

A registered nurse may dispense naloxone to a certificate holder in a local health department under the Overdose Response Program. A registered nurse may also, under the Baltimore City Expedited Partner Therapy Pilot Program, provide antibiotic therapy to any sexual partner of a patient diagnosed with chlamydia or gonorrhea without making a personal physical assessment of the patient’s partner.

In order to personally prepare and dispense drugs and devices, a registered nurse must (1) comply with the formulary developed by the committee; (2) successfully complete a DHMH training program; (3) maintain the patient’s health record in a manner that ensures the confidentiality of the patient’s drug and device medication record in accordance with State and federal laws; (4) comply with drug and device storage and inventory procedures in accordance with DHMH policy; and (5) have received a prescription from an authorized prescriber employed at a local health department.

DHMH must establish and administer a training program for registered nurses. The training program must be jointly developed and annually reviewed to ensure compliance with current prescribing standards.

A member of the Committee on Registered Nurses Personally Preparing and Dispensing Drugs and Devices in Local Health Departments may not receive compensation but is entitled to reimbursement for standard travel expenses. The Secretary of Health and Mental Hygiene must designate the chair of the committee and DHMH must provide staff for it.

Current Law: Only a physician or nurse practitioner may prescribe and dispense naloxone to a certificate holder under the Overdose Response Program. Under the Expedited Partner Therapy Pilot Program, only physicians, certified nurse practitioners, and authorized physician assistants may dispense or provide antibiotic therapy to any sexual partner of a patient diagnosed with chlamydia or gonorrhea without making a personal physical assessment of the patient’s partner.

Additional Information

Prior Introductions: None.

Cross File: HB 945 (Delegate Pena-Melnyk, *et al.*) - Health and Government Operations.

Information Source(s): Maryland Association of County Health Officers, Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2015
min/ljm

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