

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 267 (Delegate Owings)

Environmental Matters

State Board of Pharmacy - Administration of Drugs

This bill expands the definition of “practice of pharmacy” to include: (1) administering prescription or nonprescription drugs by direct application to the patient’s body by any means; and (2) monitoring a patient’s drug or device therapy by obtaining and reviewing data pertinent to the patient’s drug or device therapy and evaluating the patient’s response to that therapy. A pharmacist must be certified by the State Board of Pharmacy before the pharmacist may administer a prescription or non-prescription drug to a patient. The bill also specifies that the certificate must specify each drug or device class that the pharmacist may administer and the site at which the administration may occur. The board may require a pharmacist to enter into a collaborative agreement before the pharmacist administers a specified drug.

Fiscal Summary

State Effect: Special fund revenues for the board are expected to increase by \$9,500 in FY 1999. Future year revenues reflect a constant number of applicants each year and biennial renewal. Special fund expenditures for the board are anticipated to be \$11,800 in FY 1999, which reflects the October 1, 1998 effective date and one-time costs. Future year revenues reflect annualization and inflation.

(in dollars)	FY 1999	FY 2000	FY 2001	FY 2002	FY 2003
SF Revenues	9,500	300	10,000	300	10,000
SF Expenditures	11,800	9,100	9,200	9,300	9,300
Net Effect	(\$2,300)	(\$8,800)	\$800	(\$9,000)	\$700

Note: () - decrease; GF - general funds; FF - federal funds; SF - special funds

Local Effect: None.

Small Business Effect: Potential minimal. This bill would allow small business independent pharmacies to expand their services. This may increase business activity for

some small business pharmacies or make them more competitive with large chain pharmacies.

Fiscal Analysis

Bill Summary: The bill specifies the educational requirements for certification to administer a drug. The certificate is renewable for a two-year term. The bill also specifies the procedures and precautions that the pharmacist must follow while administering the drug. A pharmacist may not administer a prescription drug without a valid prescription for the drug unless: (1) the pharmacist has written, signed authorization from a prescriber that specifies the drug to be administered and the criteria that a patient must meet before the pharmacist may administer the drug; and (2) the drug was dispensed for immediate administration to the patient.

The bill requires the pharmacist to maintain a record of the administration and ensure the privacy of the record after administering a drug to a patient. In addition, the bill requires the pharmacist to provide the patient with a written record of the administration and monitor the patient's response to the drug over time.

State Revenues: Certification by the board to administer a drug to a patient will be voluntary and in addition to a pharmacist license. The board anticipates that 190 certificates will be issued in the first year. As a result, special fund revenues for the board could increase by \$9,500 in fiscal 1999 (190 certificates x \$50 certificate fee). Future year revenues assume five new certificates will be issued each year thereafter and biennial renewal fees of \$50.

State Expenditures: Special fund expenditures could increase by an estimated \$11,766 in fiscal 1999, which accounts for the bill's October 1, 1998 effective. This estimate reflects the cost of hiring one quarter-time contractual administrator to process applications for the certificates. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Future year expenditures reflect a full salary and 1% annual increases in ongoing operating expenses.

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

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