

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

Revised

Senate Bill 772

(Senator Bromwell)

Economic and Environmental Affairs

Environmental Matters

Health Care - Therapy Management Agreements and Cooperative Procedures

This bill allows a “licensed pharmacist” to enter into a “therapy management agreement” initiated by a physician, dentist, or podiatrist (health care practitioner) authorizing the pharmacist to perform specified cooperative procedures on patients of the health care practitioner.

The bill sunsets September 30, 2005.

Fiscal Summary

State Effect: Adopting and implementing the regulations could be handled with the existing budgeted resources of the respective health occupation boards.

Local Effect: None.

Small Business Effect: Minimal. Small business pharmacists, physicians, dentists, and podiatrists would have greater flexibility in providing drug therapy care for their patients.

Analysis

Bill Summary: A therapy management agreement cannot authorize cooperative procedures that exceed the scope of practice of the parties to the agreement. The agreement can only authorize procedures involving: (1) the modification, continuation, and discontinuation of drug therapy under written, patient-specific protocols; (2) ordering laboratory tests; and (3) other patient care management measures related to monitoring or

improving outcomes of drug or device therapy. A cooperative procedure cannot be performed without the patient's consent.

A pharmacist who deviates from the terms of a therapy management agreement may be practicing medicine, dentistry, or podiatry without a license and subject to disciplinary proceedings by the respective health occupation board.

The Board of Pharmacy, the Board of Physician Quality Assurance, the Board of Podiatric Medical Examiners, and the Board of Dental Examiners must develop and adopt regulations to implement the bill's provisions. The boards must report by December 1, 2004 to the Governor and the General Assembly on the effect of the bill and any recommendations for legislative or regulatory action.

Current Law: None applicable.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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