

**Department of Legislative Services**  
Maryland General Assembly  
2003 Session

**FISCAL AND POLICY NOTE**

Senate Bill 354 (Senator Grosfeld, *et al.*)  
Education, Health, and Environmental Affairs

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**Public Health - Licensed Pharmacists - Dispensing Emergency Contraception**

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This bill authorizes pharmacists and physicians to enter into arrangements concerning the dispensation of emergency contraception. The bill authorizes a licensed pharmacist to dispense emergency contraception if the licensed pharmacist has an approved arrangement. The Board of Pharmacy (the board) and the Board of Physician Quality Assurance (BPQA) are required to jointly adopt regulations related to the arrangements.

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**Fiscal Summary**

**State Effect:** Potential minimal effect on special fund revenues and expenditures.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** Arrangements may be initiated by either a licensed pharmacist or a licensed physician and shall be valid for two years from the date of its final approval by the board and BPQA unless renewed in accordance with regulations adopted by the board and BPQA. Emergency contraception is defined as a method of preventing pregnancy and does not include abortifacients (a substance or device used to induce abortion).

The board and BPQA are required to adopt regulations that: (1) define the criteria for the establishment of an arrangement; (2) establish guidelines concerning an arrangement, including communication, documentation, and other relevant factors; and (3) establish a

procedure to allow for the approval, modification, continuation, or disapproval of an arrangement by the board and BPQA.

This bill does not supercede criminal law related to the manufacture, distribution, or dispensing of a controlled dangerous substance.

**Current Law:** Pharmacists and physicians are not permitted to enter into arrangements for the dispensation or provision of emergency contraceptives.

**State Fiscal Effect:** The number of arrangements that will be requested cannot be reliably estimated. For illustrative purposes only, nine arrangements at \$200 each would increase special fund revenues by \$1,800 in fiscal 2004. Out-year revenues would reflect nine additional new arrangements and the biennial nature of the renewal cycle. Special fund expenditures could increase by \$1,716 in fiscal 2004 to cover per diem and travel expenditures for board members and supplies for four meetings to approve arrangements, which could be handled with existing resources.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 615 (Delegates Goldwater and Ross) – Health and Government Operations.

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

**Fiscal Note History:** First Reader - March 4, 2003  
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