

# SENATE BILL 700

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By: **Senator Klausmeier**

Introduced and read first time: February 6, 2009

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Pharmacists – Administration of Vaccinations – Expanded Authority**

3 FOR the purpose of expanding the authority of pharmacists to administer certain  
4 vaccinations to individuals under certain circumstances; altering a certain  
5 definition; and generally relating to the expansion of the authority of  
6 pharmacists to administer vaccinations to individuals.

7 BY repealing and reenacting, with amendments,  
8 Article – Health Occupations  
9 Section 12–101(s) and 12–508  
10 Annotated Code of Maryland  
11 (2005 Replacement Volume and 2008 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article – Health Occupations**

15 12–101.

16 (s) (1) “Practice pharmacy” means to engage in any of the following  
17 activities:

18 (i) Providing pharmaceutical care;

19 (ii) Compounding, dispensing, or distributing prescription drugs  
20 or devices;

21 (iii) Compounding or dispensing nonprescription drugs or  
22 devices;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (iv) Monitoring prescriptions for prescription and  
2 nonprescription drugs or devices;

3 (v) Providing information, explanation, or recommendations to  
4 patients and health care practitioners about the safe and effective use of prescription  
5 or nonprescription drugs or devices;

6 (vi) Identifying and appraising problems concerning the use or  
7 monitoring of therapy with drugs or devices;

8 (vii) Acting within the parameters of a therapy management  
9 contract, as provided under Subtitle 6A of this title;

10 (viii) Administering an influenza vaccination, **A VACCINATION**  
11 **FOR PNEUMOCOCCAL PNEUMONIA OR HERPES ZOSTER, OR ANY VACCINATION**  
12 **THAT HAS BEEN DETERMINED BY THE BOARD, WITH THE BOARD OF**  
13 **PHYSICIANS AND THE BOARD OF NURSING, TO BE IN THE BEST HEALTH**  
14 **INTERESTS OF THE COMMUNITY** in accordance with § 12–508 of this title;

15 (ix) Delegating a pharmacy act to a registered pharmacy  
16 technician, pharmacy student, or an individual engaged in a Board approved  
17 pharmacy technician training program; or

18 (x) Supervising a delegated pharmacy act performed by a  
19 registered pharmacy technician, pharmacy student, or an individual engaged in a  
20 Board approved pharmacy technician training program.

21 (2) “Practice pharmacy” does not include the operations of a person  
22 who holds a permit issued under § 12–602 of this title.

23 12–508.

24 (a) (1) A pharmacist may administer an influenza vaccination to an  
25 individual, in accordance with regulations adopted under subsection (c) of this section.

26 (2) A pharmacist may administer a vaccination for pneumococcal  
27 pneumonia or herpes zoster to an individual if:

28 (i) The individual is an adult;

29 (ii) The individual has a prescription from a physician;

30 (iii) The pharmacist informs the prescribing physician that the  
31 vaccination has been administered;

1                   (iv) If the prescribing physician is not the patient's primary care  
2 physician, the pharmacist has made a reasonable effort to inform the patient's  
3 primary care physician that the vaccination has been administered; and

4                   (v) The vaccination is administered in accordance with  
5 regulations adopted under subsection (c) of this section.

6                   **(3) A PHARMACIST MAY ADMINISTER A VACCINATION TO AN**  
7 **INDIVIDUAL, IN ACCORDANCE WITH REGULATIONS ADOPTED UNDER**  
8 **SUBSECTION (C) OF THIS SECTION, THAT HAS BEEN DETERMINED BY THE**  
9 **BOARD, WITH THE BOARD OF PHYSICIANS AND THE BOARD OF NURSING, TO BE**  
10 **IN THE BEST HEALTH INTERESTS OF THE COMMUNITY.**

11                  (b) The Board shall set reasonable fees for the administration of vaccinations  
12 in accordance with subsection (a) of this section.

13                  (c) The Board, with the Board of Physicians and the Board of Nursing, shall  
14 jointly develop and adopt regulations to provide for patient safety and to implement  
15 this section.

16                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2009.