

# HOUSE BILL 986

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By: **Delegates Hubbard, Costa, ~~and Stocksda~~ Stocksda**le, Donoghue, A. Kelly, Krebs, Oaks, Pena-Melnyk, and V. Turner

Introduced and read first time: February 11, 2011

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2011

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

### 2 **Pharmacists – Administration of Vaccines – Children**

3 FOR the purpose of altering the age of an individual to whom a pharmacist may  
4 administer ~~certain vaccines under certain circumstances~~ a certain vaccination;  
5 requiring a pharmacist to report a certain vaccination to a certain registry;  
6 altering requirements for regulations relating to certain vaccinations; and  
7 generally relating to the administration of vaccines by pharmacists to children.

8 BY repealing and reenacting, with amendments,  
9 Article – Health Occupations  
10 Section 12–508  
11 Annotated Code of Maryland  
12 (2009 Replacement Volume and 2010 Supplement)

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

### 15 **Article – Health Occupations**

16 12–508.

17 (a) (1) A pharmacist may administer an influenza vaccination to an  
18 individual WHO IS AT LEAST 9 YEARS OLD, in accordance with regulations adopted

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~under subsection (c) of this section~~ **BY THE BOARD, IN CONSULTATION WITH THE DEPARTMENT.**

(2) A pharmacist may administer a vaccination for pneumococcal pneumonia or herpes zoster, or any vaccination that has been determined by the Board, with the agreement of the Board of Physicians and the Board of Nursing to be in the best health interests of the community, to an individual if:

(i) The individual is ~~[an adult]~~ **AT LEAST 7 YEARS OLD;**

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

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

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

(v) The vaccination is administered in accordance with regulations adopted under subsection ~~(c)~~ **(C)(1)** of this section.

**(3) A PHARMACIST SHALL REPORT TO THE MARYLAND IMMUNIZATION REGISTRY AN INFLUENZA VACCINATION ADMINISTERED BY THE PHARMACIST TO INDIVIDUALS WHO ARE FROM 9 TO 18 YEARS OF AGE.**

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

(c) (1) The Board, the Board of Physicians, and the Board of Nursing shall meet at least annually to jointly develop, adopt, and review regulations to provide for patient safety and to implement **SUBSECTION (A)(2) OF** this section.

(2) The regulations adopted under **SUBSECTION (A)(1) OF THIS SECTION AND** paragraph (1) of this subsection shall require a pharmacist to submit a registration form to the Board that includes verification that the pharmacist:

(i) Has successfully completed a certification course approved by the Board that included instruction in the guidelines and recommendations of the Centers for Disease Control and Prevention regarding vaccinations; and

(ii) Is certified in basic cardiopulmonary resuscitation and obtained the certification through in-person classroom instruction.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.