

SENATE BILL 346

J2

5lr1580
CF HB 657

By: **Senators Pugh, Middleton, Bates, Klausmeier, Madaleno, Montgomery,
Nathan-Pulliam, Salling, Waugh, and Young**

Introduced and read first time: February 6, 2015

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 24, 2015

CHAPTER _____

1 AN ACT concerning

2 **Pharmacists – Scope of Practice – ~~Revisions~~ Administration of Drugs**

3 FOR the purpose of authorizing certain pharmacists to administer ~~drugs or biological~~
4 ~~products~~ a self-administered drug to a patient under certain circumstances in
5 accordance with certain regulations; ~~authorizing certain pharmacists to prescribe~~
6 ~~certain medications under certain circumstances in accordance with certain~~
7 ~~protocols and certain regulations~~; defining ~~certain terms~~ a certain term; altering
8 certain definitions; and generally relating to the authority of pharmacists to
9 administer ~~and prescribe medication~~ drugs.

10 BY repealing and reenacting, with amendments,

11 Article – Health Occupations

12 Section 12-101(b) and (t)

13 Annotated Code of Maryland

14 (2014 Replacement Volume)

15 BY adding to

16 Article – Health Occupations

17 Section ~~12-509 and 12-510~~ 12-101(v-1) and 12-509

18 Annotated Code of Maryland

19 (2014 Replacement Volume)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

21 That the Laws of Maryland read as follows:

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.



1 **Article – Health Occupations**

2 12–101.

3 (b) ~~(1)~~ “Authorized prescriber” means any licensed dentist, licensed physician,
 4 licensed podiatrist, licensed veterinarian, ~~certified nurse midwife to the extent permitted~~
 5 ~~in § 8–601 of this article, certified nurse practitioner to the extent permitted in § 8–508 of~~
 6 **ADVANCED PRACTICE NURSE WITH PRESCRIPTIVE AUTHORITY UNDER § 8–508 OF**
 7 this article, or other individual authorized by law to prescribe prescription or
 8 nonprescription drugs or devices.

9 ~~(2) “AUTHORIZED PRESCRIBER” INCLUDES A LICENSED PHARMACIST~~
 10 ~~IN ACCORDANCE WITH § 12–510 OF THIS TITLE.~~

11 (t) (1) “Practice pharmacy” means to engage in any of the following activities:

12 (i) Providing pharmaceutical care;

13 (ii) Compounding, dispensing, or distributing prescription drugs or
 14 devices;

15 (iii) Compounding or dispensing nonprescription drugs or devices;

16 (iv) Monitoring prescriptions for prescription and nonprescription
 17 drugs or devices;

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

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

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

25 (viii) Administering vaccinations in accordance with § 12–508 of this
 26 title ~~OR OTHER DRUGS AND BIOLOGICAL PRODUCTS~~ **SELF-ADMINISTERED DRUGS IN**
 27 **ACCORDANCE WITH § 12–509 OF THIS TITLE;**

28 (ix) Delegating a pharmacy act to a registered pharmacy technician,
 29 pharmacy student, or an individual engaged in a Board approved pharmacy technician
 30 training program;

(x) Supervising a delegated pharmacy act performed by a registered pharmacy technician, pharmacy student, or an individual engaged in a Board approved pharmacy technician training program; ~~for~~

(xi) Providing drug therapy management in accordance with § 19-713.6 of the Health – General Article; ~~OR~~

~~(XII) PRESCRIBING DRUGS IN ACCORDANCE WITH § 12-510 OF THIS TITLE.~~

(2) “Practice pharmacy” does not include the operations of a person who holds a permit issued under § 12-6C-03 of this title.

(V-1) (1) “SELF-ADMINISTERED DRUG” MEANS A DRUG THAT IS REGULARLY ADMINISTERED BY THE PATIENT FOR WHOM THE DRUG IS PRESCRIBED OR BY AN INDIVIDUAL WHO IS NOT OTHERWISE AUTHORIZED TO ADMINISTER DRUGS UNDER THIS ARTICLE.

(2) “SELF-ADMINISTERED DRUG” INCLUDES:

(I) EYEDROPS; AND

(II) A DRUG THAT IS ADMINISTERED BY AN INTRAMUSCULAR INJECTION OR A SUBCUTANEOUS INJECTION.

~~12-509.~~

~~IN ADDITION TO THE AUTHORITY GRANTED TO A PHARMACIST UNDER § 12-508 OF THIS SUBTITLE, A PHARMACIST, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD, MAY ADMINISTER A DRUG OR BIOLOGICAL PRODUCT SELF-ADMINISTERED DRUG TO A PATIENT THAT IS PRESCRIBED BY AN AUTHORIZED PRESCRIBER IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.~~

~~12-510.~~

~~(A) PURSUANT TO STANDARD PROTOCOLS ADOPTED BY THE BOARD, A LICENSED PHARMACIST MAY PRESCRIBE SELF-ADMINISTERED MEDICATIONS THAT:~~

~~(1) DO NOT REQUIRE A DIAGNOSIS; OR~~

~~(2) TREAT URGENT OR EMERGENT CONDITIONS.~~

~~(B) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.~~

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2015.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.