

Chapter 447

(House Bill 657)

AN ACT concerning

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

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

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 12-101(b) and (t)
Annotated Code of Maryland
(2014 Replacement Volume)

BY adding to

Article – Health Occupations
Section ~~12-509 and 12-510~~ 12-101(v-1) and 12-509
Annotated Code of Maryland
(2014 Replacement Volume)

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

Article – Health Occupations

12-101.

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

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

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

- (i) Providing pharmaceutical care;
- (ii) Compounding, dispensing, or distributing prescription drugs or devices;
- (iii) Compounding or dispensing nonprescription drugs or devices;
- (iv) Monitoring prescriptions for prescription and nonprescription drugs or devices;
- (v) Providing information, explanation, or recommendations to patients and health care practitioners about the safe and effective use of prescription or nonprescription drugs or devices;
- (vi) Identifying and appraising problems concerning the use or monitoring of therapy with drugs or devices;
- (vii) Acting within the parameters of a therapy management contract, as provided under Subtitle 6A of this title;
- (viii) Administering vaccinations in accordance with § 12-508 of this title ~~OR OTHER DRUGS AND BIOLOGICAL PRODUCTS~~ SELF-ADMINISTERED DRUGS IN ACCORDANCE WITH § 12-509 OF THIS TITLE;
- (ix) Delegating a pharmacy act to a registered pharmacy technician, pharmacy student, or an individual engaged in a Board approved pharmacy technician 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.~~

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

Approved by the Governor, May 12, 2015.