

HOUSE BILL 656

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CF 01r2212

By: **Delegates K. Young, Bagnall, Brooks, Carr, Kipke, Krebs, R. Lewis, Moon, Solomon, and Terrasa**

Introduced and read first time: January 29, 2020

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Pharmacists – Administration of Self-Administered Medications and**
3 **Maintenance Injectable Medications**

4 FOR the purpose of authorizing a pharmacist who meets the requirements of certain
5 regulations to administer a maintenance injectable medication to a patient under
6 certain circumstances; requiring the State Board of Pharmacy, on or before a certain
7 date and in consultation with the State Board of Physicians and the State Board of
8 Nursing, to adopt certain regulations for pharmacists to administer a maintenance
9 injectable medication; establishing certain requirements for the regulations;
10 requiring the Maryland Medical Assistance Program and the Maryland Children's
11 Health Program to provide coverage for the administering of certain
12 self-administered medications and maintenance injectable medications rendered by
13 a licensed pharmacist to the same extent as the services rendered by any other
14 licensed health care practitioner; requiring certain insurers, nonprofit health service
15 plans, and health maintenance organizations to provide coverage for the
16 administering of certain self-administered medications and maintenance injectable
17 medications rendered by a licensed pharmacist to the same extent as the services
18 rendered by any other licensed health care practitioner; altering a certain definition;
19 providing for the application of certain provisions of this Act; and generally relating
20 to the administering of self-administered medications and maintenance injectable
21 medications by pharmacists.

22 BY repealing and reenacting, with amendments,
23 Article – Health – General
24 Section 15–148(c)
25 Annotated Code of Maryland
26 (2019 Replacement Volume)

27 BY repealing and reenacting, without amendments,
28 Article – Health Occupations

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 12–101(a)
 2 Annotated Code of Maryland
 3 (2014 Replacement Volume and 2019 Supplement)

4 BY repealing and reenacting, with amendments,
 5 Article – Health Occupations
 6 Section 12–101(x)(1)(viii) and 12–509
 7 Annotated Code of Maryland
 8 (2014 Replacement Volume and 2019 Supplement)

9 BY adding to
 10 Article – Insurance
 11 Section 15–716
 12 Annotated Code of Maryland
 13 (2017 Replacement Volume and 2019 Supplement)

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

16 **Article – Health – General**

17 15–148.

18 (c) The Program and the Maryland Children’s Health Program shall provide
 19 coverage for services, **TO THE SAME EXTENT AS SERVICES RENDERED BY ANY OTHER**
 20 **LICENSED HEALTH CARE PRACTITIONER**, rendered to an enrollee by a licensed
 21 pharmacist under:

22 **(1) § 12–509 OF THE HEALTH OCCUPATIONS ARTICLE IN**
 23 **ADMINISTERING SELF-ADMINISTERED MEDICATIONS OR MAINTENANCE**
 24 **INJECTABLE MEDICATIONS; OR**

25 **(2) § 12–511 of the Health Occupations Article**[, to the same extent as
 26 services rendered by any other licensed health care practitioner,] in screening an enrollee
 27 and prescribing contraceptives for the enrollee.

28 **Article – Health Occupations**

29 12–101.

30 (a) In this title the following words have the meanings indicated.

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

32 (viii) Administering vaccinations in accordance with § 12–508 of this
 33 title or self-administered drugs **OR MAINTENANCE INJECTABLE MEDICATIONS** in

1 accordance with § 12–509 of this title;

2 12–509.

3 (A) In addition to the authority granted to a pharmacist under § 12–508 of this
4 subtitle, a pharmacist, in accordance with regulations adopted by the Board, may
5 administer [a]:

6 (1) A self-administered drug to a patient that is prescribed by an
7 authorized prescriber; AND

8 (2) A MAINTENANCE INJECTABLE MEDICATION TO A PATIENT:

9 (I) THAT IS PRESCRIBED BY AN AUTHORIZED PRESCRIBER;

10 (II) IN ACCORDANCE WITH A STANDING ORDER ISSUED BY AN
11 AUTHORIZED PUBLIC HEALTH OFFICIAL; OR

12 (III) IN ACCORDANCE WITH A PROTOCOL UNDER SUBTITLE 6A
13 OF THIS TITLE.

14 (B) (1) ON OR BEFORE SEPTEMBER 1, 2021, THE BOARD, IN
15 CONSULTATION WITH THE STATE BOARD OF PHYSICIANS AND THE STATE BOARD
16 OF NURSING, SHALL ADOPT REGULATIONS ESTABLISHING STANDARD PROCEDURES:

17 (I) THAT A PHARMACIST MUST USE TO ADMINISTER A
18 MAINTENANCE INJECTABLE MEDICATION AFTER AN INITIAL DOSE IS ADMINISTERED
19 BY THE PRESCRIBER; AND

20 (II) FOR COMMUNICATING TO THE PRESCRIBER WHETHER A
21 MEDICATION WAS ADMINISTERED TO A SPECIFIC PATIENT AND RELEVANT
22 INFORMATION ABOUT THE PATIENT'S CONDITION.

23 (2) THE REGULATIONS SHALL REQUIRE A PHARMACIST TO:

24 (I) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS
25 SUBSECTION, COMPLETE A TRAINING PROGRAM APPROVED BY THE BOARD FOR:

26 1. ADMINISTERING MAINTENANCE INJECTABLE
27 MEDICATIONS; AND

28 2. MANAGING THE POPULATIONS THE PHARMACIST
29 SERVES, THE MEDICATIONS BEING ADMINISTERED, AND THE CURRENT GUIDELINES
30 RELATING TO THESE POPULATIONS AND MEDICATIONS;

1 (II) FOLLOW THE STANDARD PROCEDURES ESTABLISHED BY
2 THE BOARD; AND

3 (III) AFTER ADMINISTERING A MAINTENANCE INJECTABLE
4 MEDICATION:

5 1. NOTIFY THE PRESCRIBER THAT THE MAINTENANCE
6 INJECTABLE MEDICATION WAS ADMINISTERED AND OF ANY RELEVANT DETAILS
7 ABOUT THE PATIENT'S CONDITION;

8 2. PROVIDE THE PATIENT WITH A WRITTEN RECORD OF
9 THE MAINTENANCE INJECTABLE MEDICATION ADMINISTERED;

10 3. RECORD IN ANY ELECTRONIC OR WRITTEN HEALTH
11 RECORD ON THE PATIENT MAINTAINED BY THE PHARMACIST:

12 A. THE ADMINISTERING OF THE MAINTENANCE
13 INJECTABLE MEDICATION; AND

14 B. ANY PERTINENT DETAILS ABOUT THE PATIENT'S
15 CONDITION; AND

16 4. NOTIFY THE PATIENT OF THE NEED TO ATTEND ANY
17 UPCOMING APPOINTMENTS THE PATIENT HAS SCHEDULED WITH THE PRESCRIBER.

18 (3) THE REGULATIONS SHALL WAIVE THE REQUIREMENT TO
19 COMPLETE A TRAINING PROGRAM FOR A PHARMACIST WHO ALREADY HAS
20 UNDERGONE THE TRAINING AS PART OF THE PHARMACIST'S FORMAL EDUCATIONAL
21 PROGRAM.

22 Article – Insurance

23 15–716.

24 (A) THIS SECTION APPLIES TO INDIVIDUAL, GROUP, OR BLANKET HEALTH
25 INSURANCE POLICIES AND CONTRACTS DELIVERED OR ISSUED FOR DELIVERY IN
26 THE STATE BY INSURERS, NONPROFIT HEALTH SERVICE PLANS, AND HEALTH
27 MAINTENANCE ORGANIZATIONS FOR COVERAGE FOR PATIENT ASSESSMENT
28 REGARDING, AND ADMINISTRATION OF, SELF-ADMINISTERED MEDICATIONS AND
29 MAINTENANCE INJECTABLE MEDICATIONS.

30 (B) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR
31 SERVICES RENDERED BY A LICENSED PHARMACIST UNDER § 12–509 OF THE

1 **HEALTH OCCUPATIONS ARTICLE TO AN INDIVIDUAL WHO IS COVERED UNDER A**
2 **POLICY OR CONTRACT ISSUED OR DELIVERED BY THE ENTITY, TO THE SAME EXTENT**
3 **AS SERVICES RENDERED BY ANY OTHER LICENSED HEALTH CARE PRACTITIONER, IN**
4 **ADMINISTERING SELF-ADMINISTERED MEDICATIONS OR MAINTENANCE**
5 **INJECTABLE MEDICATIONS.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That § 15-716 of the Insurance
7 Article, as enacted by Section 1 of this Act, shall apply to all policies and contracts issued,
8 delivered, or renewed in the State on or after January 1, 2021.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2020.