

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 656

(Delegate K. Young, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs
and Finance

**Pharmacists – Administration of Self-Administered Medications and
Maintenance Injectable Medications
(The Christopher King Access to Treatment Act)**

This bill authorizes a licensed pharmacist to administer a “maintenance injectable medication” to a patient under specified circumstances. By September 1, 2021, the State Board of Pharmacy, in consultation with specified stakeholders, must adopt regulations establishing standard procedures and approving classes of maintenance injectable medications that a pharmacist may administer. Specified insurers, nonprofit health service plans, and health maintenance organizations, as well as Medicaid and the Maryland Children’s Health Program (MCHP), must provide coverage for the administration of a self-administered drug or maintenance injectable medication rendered by a licensed pharmacist to the same extent as services rendered by any other licensed health care practitioner. The bill’s insurance provisions apply to all policies and contracts issued, delivered, or renewed in the State on or after January 1, 2021.

Fiscal Summary

State Effect: Minimal increase in special fund revenues for the Maryland Insurance Administration (MIA) in FY 2021 from the \$125 rate and form filing fee. MIA can likely review additional filings with existing resources. The State Board of Pharmacy can adopt and implement regulations with existing budgeted resources. No impact on Medicaid/MCHP or the State Employee and Retiree Health and Welfare Benefits Program.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: “Maintenance injectable medication” means a medication that is administered by injection other than intravenously and treats a chronic need, condition, or disorder. “Maintenance injectable medication” includes a medication for the treatment of a psychiatric or substance use disorder, contraception, vitamins, and any other class of medication approved by board regulations.

A licensed pharmacist may administer a maintenance injectable medication (1) if the maintenance injectable medication is prescribed by an authorized prescriber and the prescriber has not ordered the initial dose be administered by a prescriber; (2) in accordance with a standing order issued by an authorized public health official; or (3) in accordance with a drug therapy management protocol.

By September 1, 2021, the State Board of Pharmacy, in consultation with the State Board of Physicians and the State Board of Nursing, must adopt regulations establishing specified standard procedures and approving classes of maintenance injectable medications that a pharmacist may administer. The regulations must require a pharmacist to (1) complete a board-approved training program (unless the pharmacist has received this training as part of the pharmacist’s formal educational training); (2) follow the standard procedures established by the board; and (3) after administering a maintenance injectable medication, notify the prescriber, provide the patient with a written record, and record specified information in the patient’s health record.

Current Law/Background: An individual must be licensed by the State Board of Pharmacy to practice pharmacy in the State. The practice of pharmacy includes compounding, dispensing, or distributing prescription drugs or devices; monitoring prescriptions; providing information, explanation, and recommendations to patients and health care practitioners about the safe and effective use of prescription drugs or devices; providing drug therapy management; administering vaccinations; and administering a self-administered drug to a patient in accordance with regulations adopted by the board.

To administer vaccinations, a pharmacist must submit a registration form to the board that includes verification that the pharmacist has successfully completed a specified certification course and is certified in cardiopulmonary resuscitation.

Chapters 820 and 821 of 2017 expanded the scope of practice for a licensed pharmacist, who meets specified requirements, to include prescribing and dispensing contraceptive medications and self-administered contraceptive devices approved by the U.S. Food and Drug Administration.

The Drug Therapy Management Program authorizes physicians and pharmacists to enter into a therapy management contract that specifies treatment protocols for patient care. An authorized prescriber who has entered into such an agreement must submit specified documentation to the State Board of Pharmacy.

Many medications may be prescribed in an injectable form, including long-acting antipsychotic medications, anticoagulants, hormones, contraceptives, and vitamins.

Small Business Effect: Small business pharmacies may administer maintenance injectable medications and receive additional reimbursement under the bill.

Additional Information

Prior Introductions: Similar legislation, HB 419 of 2019, received a hearing in the House Health and Government Operations Committee. Its cross file, SB 577, received a hearing in the Senate Education, Health, and Environmental Affairs Committee. No further action was taken on either bill.

Designated Cross File: SB 545 (Senator Young) - Education, Health, and Environmental Affairs and Finance.

Information Source(s): Department of Budget and Management; Maryland Department of Health; Maryland Insurance Administration; Department of Legislative Services

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