

HOUSE BILL 810

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11r2499
CF 11r1855

By: **Delegate Cullison**

Introduced and read first time: January 29, 2021

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Pharmacists – Laboratory Tests**

3 FOR the purpose of altering the definition of “practice pharmacy” to include the ordering
4 and administering of certain laboratory tests; requiring, on or before a certain date,
5 the State Board of Pharmacy to adopt regulations to authorize pharmacists to order
6 and administer certain laboratory tests; and generally relating the State Board of
7 Pharmacy and the performance of laboratory tests by pharmacists.

8 BY repealing and reenacting, with amendments,

9 Article – Health Occupations

10 Section 12–101(x)

11 Annotated Code of Maryland

12 (2014 Replacement Volume and 2020 Supplement)

13 BY adding to

14 Article – Health Occupations

15 Section 12–513

16 Annotated Code of Maryland

17 (2014 Replacement Volume and 2020 Supplement)

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

19 That the Laws of Maryland read as follows:

20 **Article – Health Occupations**

21 12–101.

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

23 (i) Providing pharmaceutical care;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (ii) Compounding, dispensing, or distributing prescription drugs or
2 devices;
- 3 (iii) Compounding or dispensing nonprescription drugs or devices;
- 4 (iv) Monitoring prescriptions for prescription and nonprescription
5 drugs or devices;
- 6 (v) Providing information, explanation, or recommendations to
7 patients and health care practitioners about the safe and effective use of prescription or
8 nonprescription drugs or devices;
- 9 (vi) Identifying and appraising problems concerning the use or
10 monitoring of therapy with drugs or devices;
- 11 (vii) Acting within the parameters of a therapy management contract,
12 as provided under Subtitle 6A of this title;
- 13 (viii) Administering vaccinations in accordance with § 12–508 of this
14 title or self-administered drugs in accordance with § 12–509 of this title;
- 15 (ix) Delegating a pharmacy act to a registered pharmacy technician,
16 pharmacy student, or an individual engaged in a Board approved pharmacy technician
17 training program;
- 18 (x) Supervising a delegated pharmacy act performed by a registered
19 pharmacy technician, pharmacy student, or an individual engaged in a Board approved
20 pharmacy technician training program;
- 21 (xi) Providing drug therapy management in accordance with §
22 19–713.6 of the Health – General Article; [or]
- 23 (xii) Prescribing and dispensing contraceptive medications and
24 self-administered contraceptive devices approved by the U.S. Food and Drug
25 Administration; **OR**

26 **(XIII) ORDERING AND ADMINISTERING LABORATORY TESTS IN**
27 **ACCORDANCE WITH REGULATIONS ADOPTED UNDER § 12–513 OF THIS TITLE.**

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

30 **12–513.**

31 **ON OR BEFORE JANUARY 1, 2022, THE BOARD SHALL ADOPT REGULATIONS**
32 **AUTHORIZING A PHARMACIST TO ORDER AND ADMINISTER LABORATORY TESTS,**

1 WITHOUT A WRITTEN, ORAL, OR ELECTRONICALLY TRANSMITTED PRESCRIPTION
2 FROM AN AUTHORIZED PRESCRIBER, THAT:

3 (1) ARE USED FOR HEALTH AWARENESS, INCLUDING SCREENING AND
4 EARLY DISEASE DETECTION;

5 (2) ARE ANALYZED IN A HIGH COMPLEXITY CLINICAL LABORATORY
6 THAT MEETS THE REQUIREMENTS OF THE FEDERAL CLINICAL LABORATORY
7 IMPROVEMENT AMENDMENTS (CLIA); AND

8 (3) MEASURE BIOMARKERS, INCLUDING:

9 (I) DEOXYRIBONUCLEIC ACID;

10 (II) RIBONUCLEIC ACID;

11 (III) PROTEINS;

12 (IV) ANTIBODIES;

13 (V) METABOLITES; OR

14 (VI) ANY OTHER CLINICAL VALUE THAT MAY ASSIST IN EARLY
15 DETECTION, PREVENTION, OR MITIGATION OF DISEASE.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2021.