

SENATE BILL 67

J1

EMERGENCY BILL
ENROLLED BILL

(11r0048)

— *Education, Health, and Environmental Affairs/Health and Government Operations* —

Introduced by **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Maryland Institute for Emergency Medical Services Systems) and Senators Carozza, Gallion, Hester, Kagan, and Reilly**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Emergency Medical Services – Paramedics – Vaccination Administration**

3 FOR the purpose of authorizing a paramedic to administer certain immunizations and skin
4 testing to certain ambulance service personnel under certain circumstances;
5 authorizing a paramedic to administer ~~a vaccination included on a certain~~
6 ~~recommended immunization schedule or authorized for emergency use by the U.S.~~
7 ~~Food and Drug Administration under a certain provision of federal law~~ influenza and
8 2019CoV immunizations if the ~~services~~ immunizations are under the direction of a
9 ~~certain entity or~~ certain physician and authorized by the Maryland Institute for
10 Emergency Medical Services Systems, part of a certain ~~program or~~ outreach effort,
11 and provided in accordance with a certain written agreement that includes certain
12 provisions; repealing certain provisions of law authorizing paramedics to administer

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.

Italics indicate opposite chamber/conference committee amendments.



1 influenza and 2019CoV immunizations under certain circumstances; making this Act
 2 an emergency measure; providing for the termination a delayed effective date for
 3 certain provisions of this Act; and generally relating to vaccination administration
 4 by paramedics.

5 BY repealing and reenacting, with amendments,

6 Article – Education

7 Section 13–516(g)

8 Annotated Code of Maryland

9 (2018 Replacement Volume and 2020 Supplement)

10 BY ~~adding to~~ repealing and reenacting, with amendments,

11 Article – Education

12 Section 13–516(g)

13 Annotated Code of Maryland

14 (2018 Replacement Volume and 2020 Supplement)

15 (As enacted by Section 1 of this Act)

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

17 That the Laws of Maryland read as follows:

18 **Article – Education**

19 13–516.

20 ~~¶(g)~~ Subject to the rules, regulations, protocols, orders, and standards of the EMS
 21 Board, a paramedic may administer ~~influenza:~~

22 **(1) INFLUENZA** and hepatitis B immunizations and tuberculosis skin
 23 testing, in a nonemergency environment, to public safety **OR AMBULANCE SERVICE**
 24 personnel within the jurisdiction of the paramedic, if the services are:

25 ~~¶(1)~~ **(I)** Authorized by a written agreement between the provider’s
 26 jurisdictional EMS operational program medical director **OR AMBULANCE SERVICE**
 27 **MEDICAL DIRECTOR** and the county or city health department in whose jurisdiction the
 28 services are performed, which shall include provisions for documentation, referral and
 29 follow-up, and storage and inventory of medicine;

30 ~~¶(2)~~ **(II)** Under the direction of the jurisdictional EMS operational
 31 program medical director **OR AMBULANCE SERVICE MEDICAL DIRECTOR**; and

32 ~~¶(3)~~ **(III)** Approved by the Institute; ~~¶~~ **AND**

33 ~~¶(G) SUBJECT TO THE RULES, REGULATIONS, PROTOCOLS, ORDERS, AND~~
 34 ~~STANDARDS OF THE EMS BOARD, A PARAMEDIC MAY ADMINISTER A VACCINATION~~
 35 ~~INCLUDED ON THE RECOMMENDED ADULT IMMUNIZATION SCHEDULE FROM THE~~

~~FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION OR AUTHORIZED FOR EMERGENCY USE BY THE U.S. FOOD AND DRUG ADMINISTRATION UNDER § 564 OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT, AND TUBERCULIN SKIN TESTING, IF THE SERVICES ARE:~~

(2) INFLUENZA AND 2019CoV IMMUNIZATIONS, IF THE IMMUNIZATIONS ARE:

~~(1)~~ (I) 1. PROVIDED UNDER THE DIRECTION OF THE EMS OPERATIONAL PROGRAM MEDICAL DIRECTOR, AMBULANCE SERVICE MEDICAL DIRECTOR, OR OTHER QUALIFIED PHYSICIAN; AND

~~(H)~~ 2. AUTHORIZED BY THE INSTITUTE;

~~(2)~~ PART OF:

~~(I) A PUBLIC SAFETY OR COMMERCIAL EMS SERVICE OCCUPATIONAL HEALTH PROGRAM; OR~~

(II) ~~A~~ PART OF A POPULATION HEALTH OUTREACH EFFORT CONDUCTED BY THE APPROPRIATE LOCAL HEALTH DEPARTMENT OR A HOSPITAL OR HEALTH SYSTEM IN THE STATE; AND

~~(3)~~ (III) PROVIDED IN ACCORDANCE WITH A WRITTEN AGREEMENT BETWEEN THE PARAMEDIC'S EMS OPERATIONAL PROGRAM OR ~~COMMERCIAL EMS~~ AMBULANCE SERVICE AND THE COUNTY OR CITY HEALTH DEPARTMENT IN THE JURISDICTION IN WHICH THE SERVICES ARE PERFORMED OR A HOSPITAL OR HEALTH SYSTEM IN THE STATE, WHICH INCLUDES PROVISIONS FOR:

~~(I)~~ 1. THE ADMINISTRATION OF A VACCINE TO AN INDIVIDUAL AT LEAST 18 YEARS OLD;

~~(H)~~ 2. STORAGE AND INVENTORY OF MEDICATION;

~~(H)~~ 3. DISTRIBUTION OF APPROPRIATE VACCINE INFORMATION STATEMENTS;

~~(IV)~~ 4. DOCUMENTATION OF PATIENT CONSENT;

~~(V)~~ 5. RECOGNITION OF ADVERSE EFFECTS;

~~(VI)~~ 6. REFERRAL AND FOLLOW-UP; AND

1 ~~(VII)~~ **7. APPROPRIATE DOCUMENTATION OF VACCINE**
2 **ADMINISTRATION, INCLUDING WITHIN THE IMMUNET SYSTEM.**

3 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
4 as follows:

5 **Article – Education**

6 13–516.

7 (g) Subject to the rules, regulations, protocols, orders, and standards of the EMS
8 Board, a paramedic may administer[:

9 (1) Influenza] INFLUENZA and hepatitis B immunizations and
10 tuberculosis skin testing, in a nonemergency environment, to public safety or ambulance
11 service personnel within the jurisdiction of the paramedic, if the services are:

12 [(i)] (1) Authorized by a written agreement between the provider’s
13 jurisdictional EMS operational program medical director or ambulance service medical
14 director and the county or city health department in whose jurisdiction the services are
15 performed, which shall include provisions for documentation, referral and follow-up, and
16 storage and inventory of medicine;

17 [(ii)] (2) Under the direction of the jurisdictional EMS operational
18 program medical director or ambulance service medical director; and

19 [(iii)] (3) Approved by the Institute]; and

20 (2) Influenza and 2019CoV immunizations, if the immunizations are:

21 (i) 1. Provided under the direction of the EMS operational
22 program medical director, ambulance service medical director, or other qualified physician;
23 and

24 2. Authorized by the Institute;

25 (ii) Part of a population health outreach effort conducted by the
26 appropriate local health department or a hospital or health system in the State; and

27 (iii) Provided in accordance with a written agreement between the
28 paramedic’s EMS operational program or ambulance service and the county or city health
29 department in the jurisdiction in which the services are performed or a hospital or health
30 system in the State, which includes provisions for:

31 1. The administration of a vaccine to an individual at least
32 18 years old;

- 1 2. Storage and inventory of medication;
- 2 3. Distribution of appropriate Vaccine Information
3 Statements;
- 4 4. Documentation of patient consent;
- 5 5. Recognition of adverse effects;
- 6 6. Referral and follow-up; and
- 7 7. Appropriate documentation of vaccine administration,
8 including within the ImmuNet system].

9 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1,
10 2021, the Maryland Institute for Emergency Medical Services Systems, in consultation with
11 interested stakeholders and in accordance with § 2-1257 of the State Government Article,
12 shall report to the Senate Education, Health, and Environmental Affairs Committee and the
13 House Health and Government Operations Committee on efforts to include paramedics in
14 public health vaccination programs, including programs implemented in other states.

15 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
16 effect January 1, 2023.

17 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July~~
18 ~~1, 2021.~~

19 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in
20 Section 4 of this Act, this Act is an emergency measure, is necessary for the immediate
21 preservation of the public health or safety, has been passed by a ye and nay vote supported
22 by three-fifths of all the members elected to each of the two Houses of the General
23 Assembly, and shall take effect from the date it is enacted. ~~It shall remain effective through~~
24 ~~July 1, 2024, and, at the end of July 1, 2024, this Act, with no further action required by~~
25 ~~the General Assembly, shall be abrogated and of no further force and effect.~~