

Chapter 372

(Senate Bill 661)

AN ACT concerning

**Reimbursement of Pharmacist for Services Rendered
Pharmacists – Status as Health Care Providers and Study on Reimbursement**

FOR the purpose of altering a certain ~~definitions~~ definition of “health care provider” to include pharmacists for the purposes of provisions of law related to ~~health care malpractice claims, the destruction of medical records, and HIV testing; requiring certain insurers, nonprofit health service plans, and health maintenance organizations to provide reimbursement for certain health care services provided by a pharmacist at the same rate as the same services provided by a physician, physician’s assistant, or nurse practitioner; requiring the Maryland Insurance Commissioner to establish a workgroup to identify options and requirements necessary for the reimbursement of pharmacists and submit a report to certain committees on or before a certain date;~~ and generally relating to pharmacists.

~~BY repealing and reenacting, without amendments,
Article – Courts and Judicial Proceedings
Section 3-2A-01(a)
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3-2A-01(f)(1)
Annotated Code of Maryland
(2020 Replacement Volume and 2021 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Health – General
Section 4-403(a)(1)(xix) and (xx), ~~18-336(a)(3), 18-337(a), and 18-338.2(a)(3)~~
Annotated Code of Maryland
(2019 Replacement Volume and 2021 Supplement)

BY adding to
Article – Health – General
Section 4-403(a)(1)(xxi)
Annotated Code of Maryland
(2019 Replacement Volume and 2021 Supplement)

~~BY repealing and reenacting, without amendments,
Article – Health – General
Section 18-336(a)(1) and 18-338.2(a)(1)~~

~~Annotated Code of Maryland
(2019 Replacement Volume and 2021 Supplement)~~

~~BY repealing and reenacting, with amendments,
Article — Insurance
Section 15-716
Annotated Code of Maryland
(2017 Replacement Volume and 2021 Supplement)~~

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

~~Article — Courts and Judicial Proceedings~~

~~§ 2A-01.~~

~~(a) In this subtitle the following terms have the meanings indicated unless the context of their use requires otherwise.~~

~~(f) (1) “Health care provider” means a hospital, a related institution as defined in § 19-301 of the Health — General Article, a medical day care center, a hospice care program, an assisted living program, a freestanding ambulatory care facility as defined in § 19-3B-01 of the Health — General Article, a physician, an osteopath, an optometrist, a chiropractor, a registered or licensed practical nurse, a dentist, a podiatrist, a psychologist, a licensed certified social worker—clinical, [and] a physical therapist, AND A PHARMACIST, licensed or authorized to provide one or more health care services in Maryland.~~

Article – Health – General

4-403.

(a) (1) In this section, a “health care provider” means:

(xix) A social worker; [and]

(xx) A speech–language pathologist; AND

(XXI) A PHARMACIST.

~~18-336.~~

~~(a) (1) In this section the following words have the meanings indicated.~~

~~(3) “Health care provider” means a physician, nurse, PHARMACIST, or designee of a health care facility.~~

~~18-337.~~

~~(a) In this section, "health care provider" means a physician, a physician's designee, A PHARMACIST, or a designee of a health care facility licensed or otherwise authorized to provide health care services.~~

~~18-338.2.~~

~~(a) (1) In this section the following words have the meanings indicated:~~

~~(3) "Health care provider" means a physician, nurse, licensed direct entry midwife, PHARMACIST, or designee of a health care facility.~~

~~Article Insurance~~

~~15-716.~~

~~(a) This section applies to individual, group, or blanket health insurance policies and contracts delivered or issued for delivery in the State by insurers, nonprofit health service plans, and health maintenance organizations [that provide coverage for patient assessment regarding, and administration of, self-administered medications and maintenance injectable medications].~~

~~(b) An entity subject to this section shall provide coverage for services rendered by a licensed pharmacist [under § 12-509 of the Health Occupations Article] to an individual who is covered under a policy or contract issued or delivered by the entity, to the same extent as **COVERED UNDER THE POLICY OR CONTRACT FOR THE SAME** services rendered by [any other licensed health care practitioner, for patient assessment regarding and in administering self-administered medications or maintenance injectable medications] **A PHYSICIAN, PHYSICIAN ASSISTANT, OR CERTIFIED NURSE PRACTITIONER, IF THE SERVICES ARE:**~~

~~(1) WITHIN THE SCOPE OF PRACTICE OF THE PHARMACIST; AND~~

~~(2) RENDERED BY THE PHARMACIST IN COMPLIANCE WITH THE LAWS AND REGULATIONS RELATING TO THE PHARMACIST'S LICENSE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Insurance Commissioner shall:

(1) establish a workgroup with representatives of pharmacists, carriers, managed care organizations, and other stakeholders, as appropriate, to identify options and requirements necessary for the reimbursement of pharmacists who provide medical services within their:

(i) scope of practice as provided for in Title 12 of the Health Occupations Article; and

(ii) work setting; and

(2) on or before December 31, 2022, report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1257 of the State Government Article, on the Commissioner's findings and recommendations.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2022.

Approved by the Governor, May 16, 2022.