

SENATE BILL 19

J2, J1

(2lr1028)

ENROLLED BILL

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

Introduced by **Senator Lam**

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 **Pharmacists – Administration of ~~Maintenance Injectable Medications~~**
3 **Medications for Treatment of Sexually Transmitted Infections**

4 FOR the purpose of ~~altering the definition of “maintenance injectable medication” for the~~
5 ~~purposes of provisions of law governing the administration of maintenance injectable~~
6 ~~medications by pharmacists to include a medication that treats a sexually~~
7 ~~transmitted infection and is not a vaccine~~ *defining “injectable medications for*
8 *treatment of sexually transmitted infections” for the purposes of authorizing*
9 *pharmacists to administer the medications; requiring certain insurers, nonprofit*
10 *health service plans, health maintenance organizations, the Maryland Medical*
11 *Assistance Program, and the Maryland Children’s Health Program to provide certain*
12 *coverage for the administration of the medication by a pharmacist; and generally*
13 relating to the administration of maintenance injectable medications by
14 pharmacists.

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 ~~BY repealing and reenacting, with amendments,~~
 2 ~~Article – Health Occupations~~
 3 ~~Section 12-101(e-1)~~
 4 ~~Annotated Code of Maryland~~
 5 ~~(2021 Replacement Volume)~~

6 BY repealing and reenacting, with amendments,
 7 Article – Health – General
 8 Section 15-148(c)
 9 Annotated Code of Maryland
 10 (2019 Replacement Volume and 2021 Supplement)

11 BY adding to
 12 Article – Health Occupations
 13 Section 12-101(l-1)
 14 Annotated Code of Maryland
 15 (2021 Replacement Volume)

16 BY repealing and reenacting, ~~without~~ with amendments,
 17 Article – Health Occupations
 18 Section ~~12-509(a) and (b)~~ 12-509
 19 Annotated Code of Maryland
 20 (2021 Replacement Volume)

21 BY repealing and reenacting, with amendments,
 22 Article – Insurance
 23 Section 15-716
 24 Annotated Code of Maryland
 25 (2017 Replacement Volume and 2021 Supplement)

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

28 **Article – Health – General**

29 15-148.

30 (c) The Program and the Maryland Children’s Health Program shall provide
 31 coverage for services, to the same extent as services rendered by any other licensed health
 32 care practitioner, rendered to an enrollee by a licensed pharmacist under:

33 (1) § 12-509 of the Health Occupations Article in administering
 34 self-administered medications [or], maintenance injectable medications, OR INJECTABLE
 35 MEDICATIONS FOR TREATMENT OF SEXUALLY TRANSMITTED INFECTIONS; or

1 (iii) In accordance with a protocol under Subtitle 6A of this title.

2 (b) A pharmacist may not administer an initial dose of a maintenance injectable
3 medication product **OR AN INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY**
4 **TRANSMITTED INFECTION** under subsection (a)(2) of this section unless the pharmacist
5 receives written approval from the prescriber.

6 (c) (1) On or before September 1, 2021, the Board, in consultation with the
7 State Board of Physicians and the State Board of Nursing, shall adopt regulations
8 establishing standard procedures:

9 (i) For notifying a patient about payment for services before the
10 pharmacist administers a maintenance injectable medication **OR AN INJECTABLE**
11 **MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION;**

12 (ii) That a pharmacist must use to administer [a]:

13 1. A maintenance injectable medication after an initial dose
14 is administered by the prescriber; OR

15 2. **AN INJECTABLE MEDICATION FOR TREATMENT OF A**
16 **SEXUALLY TRANSMITTED INFECTION;**

17 (iii) That a pharmacist must use to administer an initial dose of a
18 maintenance injectable medication **OR AN INJECTABLE MEDICATION FOR TREATMENT**
19 **OF A SEXUALLY TRANSMITTED INFECTION** if the administration of the initial dose is
20 authorized under subsection (b) of this section; and

21 (iv) For communicating to the prescriber whether a medication was
22 administered to a specific patient and relevant 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 subsection, complete
25 a training program approved by the Board for:

26 1. Administering maintenance injectable medications **AND**
27 **INJECTABLE MEDICATIONS FOR TREATMENT OF A SEXUALLY TRANSMITTED**
28 **INFECTION; and**

29 2. Managing the populations the pharmacist serves, the
30 medications being administered, and the current guidelines relating to these populations
31 and medications;

32 (ii) Follow the standard procedures established by the Board; and

1 (iii) After administering a maintenance injectable medication OR AN
2 INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED
3 INFECTION:

4 1. Notify the prescriber that the maintenance injectable
5 medication OR INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY
6 TRANSMITTED INFECTION was administered and of any relevant details about the
7 patient's condition;

8 2. Provide the patient with a written record of the
9 maintenance injectable medication OR INJECTABLE MEDICATION FOR TREATMENT OF A
10 SEXUALLY TRANSMITTED INFECTION administered;

11 3. Record in any electronic or written health record on the
12 patient maintained by the pharmacist;

13 A. The administering of the maintenance injectable
14 medication OR INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY
15 TRANSMITTED INFECTION; and

16 B. Any pertinent details about the patient's condition; and

17 4. Notify the patient of the need to attend any upcoming
18 appointments the patient has scheduled with the prescriber.

19 (3) The regulations shall waive the requirement to complete a training
20 program for a pharmacist who already has undergone the training as part of the
21 pharmacist's formal educational program.

22 Article – Insurance

23 15-716.

24 (a) This section applies to individual, group, or blanket health insurance policies
25 and contracts delivered or issued for delivery in the State by insurers, nonprofit health
26 service plans, and health maintenance organizations that provide coverage for patient
27 assessment regarding, and administration of, self-administered medications [and],
28 maintenance injectable medications, AND INJECTABLE MEDICATIONS FOR TREATMENT
29 OF SEXUALLY TRANSMITTED INFECTIONS.

30 (b) An entity subject to this section shall provide coverage for services rendered by
31 a licensed pharmacist under § 12-509 of the Health Occupations Article to an individual
32 who is covered under a policy or contract issued or delivered by the entity, to the same extent
33 as services rendered by any other licensed health care practitioner, for patient assessment
34 regarding and in administering self-administered medications [or], maintenance injectable

1 medications, OR INJECTABLE MEDICATIONS FOR TREATMENT OF SEXUALLY
2 TRANSMITTED INFECTIONS.

3 SECTION 2. AND BE IT FURTHER ENACTED, That, to the extent determined
4 appropriate by the State Board of Pharmacy, the regulations adopted by the State Board of
5 Pharmacy, in consultation with the State Board of Physicians and the State Board of
6 Nursing, under § 12-509 of the Health Occupations Article, as enacted by Chapters 757 and
7 758 of the Acts of the General Assembly of 2021, for the administration of maintenance
8 injectable medications by a pharmacist shall be the same regulations for the administration
9 of injectable medications for treatment of sexually transmitted infections by a pharmacist
10 adopted in accordance with § 12-509 of the Health Occupations Article, as enacted by this
11 Act.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.