

SENATE BILL 372

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EMERGENCY BILL

3lr1626
CF 3lr3001

By: **Senator Augustine**

Introduced and read first time: February 1, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Pharmacists – Administration of Vaccines**

3 FOR the purpose of authorizing a pharmacist to order and administer certain vaccinations
4 to an individual in a certain age group if certain requirements are met; altering the
5 age of an individual to whom a pharmacist may administer certain vaccinations;
6 repealing the requirement that a pharmacist administer certain vaccinations under
7 a written protocol; authorizing a pharmacist to administer certain vaccinations to an
8 adult; and generally relating to the administration of vaccinations by pharmacists.

9 BY repealing and reenacting, with amendments,
10 Article – Health Occupations
11 Section 12–508
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2022 Supplement)

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

16 **Article – Health Occupations**

17 12–508.

18 (a) (1) [Subject to subsection (c) of this section, a pharmacist may administer
19 an influenza vaccination to an individual who is at least 9 years old, in accordance with
20 regulations adopted by the Board, in consultation with the Department.

21 (2) Subject to subsection (c) of this section, a] A pharmacist may **ORDER**
22 **AND** administer a vaccination [that] **TO AN INDIVIDUAL WHO IS AT LEAST 3 YEARS OLD**
23 **BUT UNDER THE AGE OF 18 YEARS IF:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(I) 1. THE VACCINE** is listed in the Centers for Disease Control
2 and Prevention's Recommended Immunization Schedule [to an individual who:

3 (i) Is at least 11 years old but under the age of 18 years; and

4 (ii) Has a prescription from an authorized prescriber]; **OR**

5 **2. THE VACCINE IS APPROVED OR AUTHORIZED BY THE**
6 **U.S. FOOD AND DRUG ADMINISTRATION;**

7 **(II) THE PHARMACIST HAS COMPLETED A PRACTICAL TRAINING**
8 **PROGRAM OF AT LEAST 20 HOURS THAT IS APPROVED BY THE ACCREDITATION**
9 **COUNCIL FOR PHARMACY EDUCATION AND INCLUDES:**

10 **1. HANDS-ON INJECTION TECHNIQUES;**

11 **2. CLINICAL EVALUATION OF INDICATIONS AND**
12 **CONTRAINDICATIONS OF VACCINES; AND**

13 **3. THE RECOGNITION AND TREATMENT OF EMERGENCY**
14 **REACTIONS TO VACCINES;**

15 **(III) THE PHARMACIST HAS A CURRENT CERTIFICATE IN BASIC**
16 **CARDIOPULMONARY RESUSCITATION;**

17 **(IV) THE PHARMACIST HAS COMPLETED A MINIMUM OF 2 HOURS**
18 **OF CONTINUING PHARMACEUTICAL EDUCATION RELATED TO IMMUNIZATIONS THAT**
19 **IS APPROVED BY THE ACCREDITATION COUNCIL FOR PHARMACY EDUCATION AS**
20 **PART OF THE LICENSE RENEWAL REQUIREMENTS UNDER § 12-309 OF THIS TITLE;**

21 **(V) THE PHARMACIST COMPLIES WITH THE RECORD-KEEPING**
22 **AND REPORTING REQUIREMENTS IN PARAGRAPH (3) OF THIS SUBSECTION AND ANY**
23 **CORRESPONDING REGULATIONS ADOPTED BY THE BOARD; AND**

24 **(VI) THE PHARMACIST INFORMS EACH CHILD VACCINATION**
25 **PATIENT AND ADULT CAREGIVER WHO IS ACCOMPANYING THE CHILD OF THE**
26 **IMPORTANCE OF WELL-CHILD VISITS WITH A PEDIATRIC PRIMARY CARE PROVIDER**
27 **AND REFERS THE PATIENT TO A PEDIATRIC PRIMARY CARE PROVIDER WHEN**
28 **APPROPRIATE.**

29 **[(3)] (2) [(i) Subject to subparagraph (ii) of this paragraph, a] A**
30 **pharmacist may administer to an adult a vaccination that is:**

1 [1.] (I) Listed in the Centers for Disease Control and
2 Prevention's Recommended Immunization Schedule; [or]

3 [2.] (II) Recommended in the Centers for Disease Control
4 and Prevention's Health Information for International Travel; OR

5 (III) APPROVED BY THE U.S. FOOD AND DRUG
6 ADMINISTRATION.

7 [(ii) A pharmacist shall administer a vaccination under
8 subparagraph (i) of this paragraph under a written protocol that:

9 1. Is vaccine specific; and

10 2. Meets criteria established by the Department, in
11 consultation with the Board, the Board of Physicians, and the Board of Nursing, in
12 regulation.]

13 [(4)] (3) A pharmacist shall:

14 (i) Report all vaccinations administered by the pharmacist to the
15 ImmuNet Program established under § 18-109 of the Health – General Article;

16 (ii) If the vaccination has been administered in accordance with a
17 prescription, document at least one effort to inform the individual's authorized prescriber
18 that the vaccination has been administered; and

19 (iii) [For a vaccination administered under paragraph (2) or (3)]
20 EXCEPT FOR AN INFLUENZA VACCINATION ADMINISTERED UNDER PARAGRAPH (1)
21 of this subsection, if the authorized prescriber is not the individual's primary care provider
22 or if the vaccination has not been administered in accordance with a prescription, document
23 at least one effort to inform the individual's primary care provider or other usual source of
24 care that the vaccination has been administered.

25 (b) The Board shall:

26 (1) Set reasonable fees for the administration of vaccinations under this
27 section; and

28 (2) Adopt regulations that require a pharmacist to submit a registration
29 form to the Board that includes verification that the pharmacist:

30 (i) Has successfully completed a certification course approved by the
31 Board that included instruction in the guidelines and recommendations of the Centers for
32 Disease Control and Prevention regarding vaccinations; and

1 (ii) Is certified in basic cardiopulmonary resuscitation and obtained
2 the certification through in-person classroom instruction.

3 [(c) From July 1, 2021, to June 30, 2023, inclusive, a pharmacist may administer
4 a vaccine to an individual who is at least 3 years old but under the age of 18 years if:

5 (1) The vaccine is approved by the U.S. Food and Drug Administration;

6 (2) The vaccination is ordered and administered in accordance with the
7 Centers for Disease Control and Prevention's Advisory Committee on Immunization
8 Practices immunization schedules;

9 (3) The pharmacist has completed a practical training program of at least
10 20 hours that is approved by the Accreditation Council for Pharmacy Education and
11 includes:

12 (i) Hands-on injection techniques;

13 (ii) Clinical evaluation of indications and contraindications of
14 vaccines; and

15 (iii) The recognition and treatment of emergency reactions to
16 vaccines;

17 (4) The pharmacist has a current certificate in basic cardiopulmonary
18 resuscitation;

19 (5) The pharmacist has completed a minimum of 2 hours of continuing
20 pharmaceutical education related to immunizations that is approved by the Accreditation
21 Council for Pharmacy Education as part of the license renewal requirements under §
22 12-309 of this title;

23 (6) The pharmacist complies with the record-keeping and reporting
24 requirements in subsection (a)(4) of this section and the corresponding regulations; and

25 (7) The pharmacist informs each child vaccination patient and adult
26 caregiver who is accompanying the child of the importance of well-child visits with a
27 pediatric primary care provider and refers the patient to a pediatric primary care provider
28 when appropriate.]

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
30 measure, is necessary for the immediate preservation of the public health or safety, has
31 been passed by a ye and nay vote supported by three-fifths of all the members elected to
32 each of the two Houses of the General Assembly, and shall take effect from the date it is
33 enacted.