

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1232

(Delegate Lopez, *et al.*)

Health and Government Operations

Finance

Health Occupations - Pharmacists - Administration of Vaccines

This emergency bill extends by one year the authorization for a licensed pharmacist to administer a vaccine approved by the U.S. Food and Drug Administration (FDA) to an individual age 3 to 17, if (1) the vaccination is ordered and administered in accordance with the U.S. Centers for Disease Control and Prevention's (CDC) Advisory Committee on Immunization Practices (ACIP) immunization schedules and (2) the pharmacist meets additional requirements, as specified. Authorization is extended from June 30, 2023, to June 30, 2024.

Fiscal Summary

State Effect: The bill does not substantively change State activities or operations.

Local Effect: The bill does not directly affect local government operations or finances.

Small Business Effect: Meaningful.

Analysis

Current Law: An individual must be licensed by the State Board of Pharmacy to practice pharmacy in the State. The practice of pharmacy includes administering vaccinations under specified circumstances.

Per Chapters 559 and 560 of 2011, licensed pharmacists may administer an influenza vaccination to an individual who is at least 9 years old, provided the vaccination is administered in accordance with regulations adopted by the board in consultation with the Maryland Department of Health (MDH). For individuals 11 to 17 years old, a pharmacist

may administer a vaccination listed in CDC’s recommended immunization schedule if the individual has a prescription from an authorized prescriber. For adults, a pharmacist may administer a vaccination listed in CDC’s recommended immunization schedule or *Health Information for International Travel* if the vaccination is administered under a written protocol that (1) is vaccine specific and (2) meets criteria established in regulation by MDH, in consultation with the boards of pharmacy, physicians, and nursing. A prescription is not required to administer these vaccinations to an individual age 18 or older.

Chapters 792 and 793 of 2021 authorize a pharmacist, from July 1, 2021, to June 30, 2023, to administer an FDA-approved vaccine to an individual age 3 to 17, if the vaccination is ordered and administered in accordance with the immunization schedules of the CDC’s ACIP. The pharmacist must (1) complete a specified practical training program; (2) have a current certificate in basic cardiopulmonary resuscitation; (3) complete a minimum of two hours of specified continuing pharmaceutical education related to immunizations; (4) comply with specified recordkeeping and reporting requirements; and (5) inform each child vaccination patient and adult caregiver of the importance of well-child visits with a pediatric primary care provider and refer the patient to such a provider when appropriate.

Small Business Effect: Small business pharmacies may continue administering vaccinations to children as young as age three through June 30, 2024. Conversely, other health care providers that administer vaccinations may administer fewer vaccinations.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 372 (Senator Augustine) - Finance.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2023
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