SENATE BILL 18

EMERGENCY BILL (PRE-FILED)

4lr1233 CF HB 76

By: Senators Augustine and Lam

Requested: October 30, 2023

Introduced and read first time: January 10, 2024

Assigned to: Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 26, 2024

CHAPTER _____

1 AN ACT concerning

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Health Occupations - Pharmacists - Administration of Vaccines

- FOR the purpose of authorizing a pharmacist to order and administer certain vaccinations to individuals in certain age groups if certain requirements are met; altering the vaccinations that a pharmacist can administer to individuals of at least a certain age; altering the circumstances under which a pharmacist may administer certain vaccinations; 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 2023 Supplement)
- 14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 15 That the Laws of Maryland read as follows:

Article - Health Occupations

17 12–508.

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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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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- regulations adopted by the Board, in consultation with the Department. 1 2 (2)Subject to [subsection (c) of this section] PARAGRAPH (3) (4) OF THIS 3 SUBSECTION, a pharmacist may ORDER AND administer a vaccination [that] TO AN INDIVIDUAL WHO IS AT LEAST 5 3 YEARS OLD IF: 4 THE VACCINE is [listed in] RECOMMENDED BY the 5 (I)1 6 Centers for Disease Control and Prevention's Recommended Immunization Schedule to an individual who: 7 8 (i) Is at least 11 years old but under the age of 18 years; and 9 Has a prescription from an authorized prescriber ADVISORY 10 **COMMITTEE ON IMMUNIZATION PRACTICES; OR** 2. 11 THE VACCINE IS APPROVED OR AUTHORIZED BY THE **U.S. FOOD AND DRUG ADMINISTRATION** THE VACCINE IS: 12 13 1. AN INFLUENZA VACCINE; 14 2. A COVID-19 VACCINE; OR 15 3. USED IN RESPONSE TO A PUBLIC HEALTH 16 **EMERGENCY:** 17 THE PHARMACIST HAS COMPLETED A PRACTICAL TRAINING (II)PROGRAM OF AT LEAST 20 HOURS THAT IS APPROVED BY THE ACCREDITATION 18 COUNCIL FOR PHARMACY EDUCATION AND INCLUDES: 19 HANDS-ON INJECTION TECHNIQUES; 20 1. 212. CLINICAL EVALUATION \mathbf{OF} **INDICATIONS** AND 22CONTRAINDICATIONS OF VACCINES; AND 23 3. THE RECOGNITION AND TREATMENT OF EMERGENCY 24**REACTIONS TO VACCINES;** 25(III) THE PHARMACIST HAS A CURRENT CERTIFICATE IN BASIC 26 CARDIOPULMONARY RESUSCITATION; 27 THE PHARMACIST HAS COMPLETED A MINIMUM OF 2 HOURS
- 28 OF CONTINUING PHARMACEUTICAL EDUCATION RELATED TO IMMUNIZATIONS THAT
 29 IS APPROVED BY THE ACCREDITATION COUNCIL FOR PHARMACY EDUCATION AS
 30 PART OF THE LICENSE RENEWAL REQUIREMENTS UNDER § 12–309 OF THIS TITLE;

$\frac{1}{2}$	(V) THE PHARMACIST COMPLIES WITH THE RECORD-KEEPING AND REPORTING REQUIREMENTS IN PARAGRAPH (4) (5) OF THIS SUBSECTION AND
3	ANY CORRESPONDING REGULATIONS ADOPTED BY THE BOARD; AND
4	(VI) IF THE VACCINATION IS ADMINISTERED TO AN INDIVIDUAL
5	UNDER THE AGE OF 18 YEARS, THE PHARMACIST INFORMS THE CHILD VACCINATION
6	PATIENT AND ADULT CAREGIVER WHO IS ACCOMPANYING THE CHILD OF THE
7	IMPORTANCE OF WELL-CHILD VISITS WITH A PEDIATRIC PRIMARY CARE PROVIDER
8 9	AND REFERS THE PATIENT TO A PEDIATRIC PRIMARY CARE PROVIDER WHEN APPROPRIATE.
10	(2) Subject to paragraph (4) of this subsection, a
11	PHARMACIST WHO HAS MET THE REQUIREMENT OF PARAGRAPH (1)(II) THROUGH
12	(VI) OF THIS SUBSECTION MAY ADMINISTER TO AN INDIVIDUAL WHO IS AT LEAST 7
13	YEARS OLD A VACCINATION THAT IS:
14	(I) RECOMMENDED BY THE CENTERS FOR DISEASE CONTROL
15	AND PREVENTION'S ADVISORY COMMITTEE ON IMMUNIZATION PRACTICES; OR
16	(II) APPROVED OR AUTHORIZED BY THE U.S. FOOD AND DRUG
17	ADMINISTRATION.
18	(i) Subject to [subparagraph (ii) of this paragraph]
19	PARAGRAPH (3) (4) OF THIS SUBSECTION, a pharmacist WHO HAS MET THE
20 21	REQUIREMENT OF PARAGRAPH (1)(II), (III), AND (IV) OF THIS SUBSECTION may administer to an adult a vaccination that is[:
22 23	1. Listed in the Centers for Disease Control and Prevention's Recommended Immunization Schedule; or
24 25	2. Recommended] RECOMMENDED in the Centers for Disease Control and Prevention's Health Information for International Travel.
26 27 28	[(ii)] (3) (4) A pharmacist shall administer a vaccination under [subparagraph (i)] PARAGRAPH (1) OR, (2), OR (3) of this [paragraph] SUBSECTION under a written protocol that:
29	[1.] (I) Is vaccine specific; and
30 31 32	[2.] (II) Meets criteria established by the Department, in consultation with the Board, the Board of Physicians, and the Board of Nursing, in regulation.
33	(4) (5) A pharmacist shall:

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vaccines; and

1 Report all vaccinations administered by the pharmacist to the (i) 2 ImmuNet Program established under § 18–109 of the Health – General Article; 3 (ii) If the vaccination has been administered in accordance with a 4 prescription, document at least one effort to inform the individual's authorized prescriber that the vaccination has been administered; and 5 6 [For a vaccination administered under paragraph (2) or (3)] 7 EXCEPT FOR AN INFLUENZA VACCINATION ADMINISTERED UNDER PARAGRAPH (1) 8 of this subsection, if the authorized prescriber is not the individual's primary care provider 9 or if the vaccination has not been administered in accordance with a prescription, document 10 at least one effort to inform the individual's primary care provider or other usual source of care that the vaccination has been administered. 11 The Board shall: 12(b) Set reasonable fees for the administration of vaccinations under this 13 (1)14 section; and 15 (2)Adopt regulations that require a pharmacist to submit a registration 16 form to the Board that includes verification that the pharmacist: 17 Has successfully completed a certification course approved by the 18 Board that included instruction in the guidelines and recommendations of the Centers for 19 Disease Control and Prevention regarding vaccinations; and 20Is certified in basic cardiopulmonary resuscitation and obtained (ii) 21the certification through in-person classroom instruction. 22From July 1, 2021, to June 30, 2023, inclusive, a pharmacist may administer a vaccine to an individual who is at least 3 years old but under the age of 18 years if: 2324(1) The vaccine is approved by the U.S. Food and Drug Administration; 25The vaccination is ordered and administered in accordance with the 26Centers for Disease Control and Prevention's Advisory Committee on Immunization 27 Practices immunization schedules; 28 The pharmacist has completed a practical training program of at least 29 20 hours that is approved by the Accreditation Council for Pharmacy Education and 30 includes: 31 (i) Hands—on injection techniques; Clinical evaluation of indications and contraindications of 32 (ii)

$\frac{1}{2}$	(iii) The recognition and treatment of emergency reactions to vaccines;
3 4	(4) The pharmacist has a current certificate in basic cardiopulmonary resuscitation;
5 6 7 8	(5) The pharmacist has completed a minimum of 2 hours of continuing pharmaceutical education related to immunizations that is approved by the Accreditation Council for Pharmacy Education as part of the license renewal requirements under § 12–309 of this title;
9 10	(6) The pharmacist complies with the record–keeping and reporting requirements in subsection (a)(4) of this section and the corresponding regulations; and
11 12 13 14	(7) The pharmacist informs each child vaccination patient and adult caregiver who is accompanying the child of the importance of well-child visits with a pediatric primary care provider and refers the patient to a pediatric primary care provider when appropriate.]
15 16 17 18 19	SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three—fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.
	Approved:
	Governor.
	President of the Senate.
	Speaker of the House of Delegates.