HOUSE BILL 838

J2, J1 6lr1566
CF SB 562

By: **Delegate Cullison**
Introduced and read first time: February 4, 2026
Assigned to: Health

A BILL ENTITLED

AN ACT concerning

State Board of Pharmacy – Prescriber–Pharmacist Agreements

FOR the purpose of repealing a requirement that authorized prescribers submit prescriber–pharmacist agreements to the health occupations board that regulates the authorized prescriber; authorizing pharmacists, under certain circumstances, to enter into prescriber–pharmacist agreements that authorize the pharmacist to treat an opioid use disorder using controlled dangerous substances drug therapy; requiring that a protocol that authorizes controlled dangerous substances drug therapy require a pharmacist to request certain data from the Prescription Drug Monitoring Program before initiating or modifying a controlled dangerous substances therapy; and generally relating to prescriber–pharmacist agreements.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–6A–03, 12–6A–04, and 12–6A–06
Annotated Code of Maryland
(2021 Replacement Volume and 2025 Supplement)

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

Article – Health Occupations

12–6A–03.

(a) An authorized prescriber and a licensed pharmacist who wish to enter into therapy management contracts shall have a prescriber–pharmacist agreement.

(b) **[**(1) (i) Except as provided in subparagraph (ii) of this paragraph, an authorized prescriber who has entered into a prescriber–pharmacist agreement shall

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

submit to the health occupations board that regulates the authorized prescriber a copy of the prescriber–pharmacist agreement and any subsequent modifications made to the prescriber–pharmacist agreement or the protocols specified in the prescriber–pharmacist agreement.

(ii) A health occupations board may enter into an agreement with the Board of Pharmacy that requires authorized prescribers regulated by the health occupations board to submit to the Board of Pharmacy documentation that otherwise would be required to be submitted to the health occupations board under subparagraph (i) of this paragraph.

(2)**]** A licensed pharmacist who has entered into a prescriber–pharmacist agreement shall submit to the Board of Pharmacy a copy of the prescriber–pharmacist agreement and any subsequent modifications made to the prescriber–pharmacist agreement or the protocols specified in the prescriber–pharmacist agreement.

12–6A–04.

(A) [A**]** **SUBJECT TO SUBSECTION (B) OF THIS SECTION, A** pharmacist is authorized to enter into a prescriber–pharmacist agreement if the pharmacist:

(1) Is a licensed pharmacist;

(2) Has a Doctor of Pharmacy Degree or equivalent training as established in regulations adopted under this subtitle;

(3) Is approved by the Board to enter into a prescriber–pharmacist agreement with an authorized prescriber in accordance with this subtitle; and

(4) Meets the requirements that are established by regulations adopted under this subtitle.

(B) A PHARMACIST MAY ENTER INTO A PRESCRIBER–PHARMACIST AGREEMENT THAT AUTHORIZES A PHARMACIST TO TREAT AN OPIOID USE DISORDER USING CONTROLLED DANGEROUS SUBSTANCES DRUG THERAPY IF THE PHARMACIST:

(1) INDIVIDUALLY REGISTERS WITH THE FEDERAL DRUG ENFORCEMENT AGENCY;

(2) INDIVIDUALLY REGISTERS WITH THE OFFICE OF CONTROLLED SUBSTANCES ADMINISTRATION;

(3) COMPLETES ANY APPLICABLE TRAINING REQUIRED BY FEDERAL OR STATE LAWS; AND

(4) FOLLOWS A PROTOCOL THAT MEETS THE REQUIREMENTS OF § 12–6A–06 OF THIS SUBTITLE.

12–6A–06.

(a) A protocol under this subtitle:

(1) May authorize:

(i) For protocols by a licensed physician and licensed pharmacist, the initiation of drug therapy under written, disease–state specific protocols;

(ii) The modification, continuation, and discontinuation of drug therapy under written, disease–state specific protocols;

(iii) The ordering of laboratory tests; and

(iv) Other patient care management measures related to monitoring or improving the outcomes of drug or device therapy; and

(2) May not authorize acts that exceed the scope of practice of the parties to the therapy management contract.

(b) A protocol shall prohibit the substitution of a chemically dissimilar drug product by the pharmacist for the product prescribed by the authorized prescriber, unless permitted in the therapy management contract.

(C) A PROTOCOL THAT AUTHORIZES CONTROLLED DANGEROUS SUBSTANCES DRUG THERAPY SHALL REQUIRE THE PHARMACIST TO REQUEST RELEVANT DATA FROM THE PRESCRIPTION DRUG MONITORING PROGRAM BEFORE INITIATING OR MODIFYING A CONTROLLED DANGEROUS SUBSTANCES DRUG THERAPY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.