

HOUSE BILL 838

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6lr1566
CF SB 562

By: ~~Delegate Cullison~~ Delegates Cullison, Alston, Bagnall, Guzzone, Hill, Hutchinson, S. Johnson, Kaufman, Kipke, Lopez, Martinez, M. Morgan, Reilly, Rosenberg, Ross, Szeliga, Taveras, White Holland, and Woorman

Introduced and read first time: February 4, 2026

Assigned to: Health

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2026

CHAPTER _____

1 AN ACT concerning

2 **State Board of Pharmacy – Prescriber–Pharmacist Agreements**

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

13 BY repealing and reenacting, without amendments,

14 Article – Health Occupations

15 Section 12–6A–01(a)

16 Annotated Code of Maryland

17 (2021 Replacement Volume and 2025 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Health Occupations

20 Section 12–6A–01(b), 12–6A–03, 12–6A–04, and 12–6A–06

21 Annotated Code of Maryland

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.



(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-01.

(a) In this subtitle the following words have the meanings indicated.

(b) “Authorized prescriber” means a licensed physician, licensed podiatrist, CERTIFIED MIDWIFE LICENSED UNDER TITLE 8, SUBTITLE 6D OF THIS ARTICLE, or certified advanced practice nurse with prescriptive authority under § 8-508 of this article.

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 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;

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

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

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

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

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

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

15 **(4) FOLLOWS A PROTOCOL THAT MEETS THE REQUIREMENTS OF §**
16 **12–6A–06 OF THIS SUBTITLE.**

17 12–6A–06.

18 (a) A protocol under this subtitle:

19 (1) May authorize:

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

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

24 (iii) The ordering of laboratory tests; and

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

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

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

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

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2026.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.