



## DEPARTMENT OF HEALTH

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Acting Secretary

MARYLAND BOARD OF PHARMACY  
4201 Patterson Avenue, Baltimore, Maryland 21215-2299  
Kevin M. Morgan, Board President  
Deena Speights-Napata, Executive Director

March 2, 2021

The Honorable Paul G. Pinsky  
Chair, Education, Health and Environmental Affairs Committee  
2 West Miller Senate Office Building  
Annapolis, MD 21401-1991

**RE: Senate Bill 828 – HIV Prevention Drugs – Dispensing by Pharmacists and Insurance Requirements - Letter of Information**

Dear Senator Pinsky and Committee Members:

The Maryland Board of Pharmacy (the “Board”) is submitting this letter of information for Senate Bill (SB) 828 – HIV Prevention Drugs – Dispensing by Pharmacists and Insurance Requirements.

The Board of Pharmacy is broadly in favor of measures that provide increased access to healthcare, including access to medications that may be integral in HIV prevention. However, this letter is to inform the Committee that the HIV prevention drugs at issue are approved by the Food and Drug Administration (“FDA”) as prescription-only drugs, and thus would arguably require that a pharmacist have a prescription in order to dispense such drugs.

SB 828 states that a pharmacist may dispense HIV prevention drugs without a prescription, which ostensibly conflicts with FDA’s approval as prescription-only. For all intents and purposes, in removing the prescription requirement, SB 828 allows a pharmacist to prescribe HIV prevention drugs in accordance with certain conditions. Therefore, the Board respectfully requests that the bill include language specifically indicating that a pharmacist may prescribe and dispense HIV prevention drugs in order to comport with federal FDA prescription requirements.

I hope this information is useful. If you would like to discuss this further, please contact me at 410-764-4753 or [deena.speights-napata@maryland.gov](mailto:deena.speights-napata@maryland.gov).

Sincerely,

**DEENA SPEIGHTS-NAPATA**

Deena Speights-Napata, M.A.  
Executive Director