



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Meena Seshamani, M.D., Ph.D., Secretary

2026 SESSION MARYLAND BOARD OF PHARMACY POSITION PAPER

BILL NO: HB 1150 – Health Occupations – Minor Conditions and HIV Prevention and Treatment
COMMITTEE: Health Committee
POSITION: Letter of Support with Amendments

TITLE: HB 1150 – Health Occupations – Minor Conditions and HIV Prevention and Treatment

BILL ANALYSIS : The primary purpose of this legislation is to expand the scope of practice for pharmacists to include the diagnosis and treatment of minor conditions and the management of HIV prevention medications.

POSITION AND RATIONALE:

The State Board of Pharmacy (Board) respectfully submits this letter of support with amendments for Senate Bill (SB) 506 – Health Occupations – Pharmacists – Minor Conditions and HIV Prevention and Treatment.

SB 506 expands the scope of practice for licensed pharmacists to enable them to test, diagnose and treat certain diseases, such as influenza and COVID, that ostensibly may be detected through CLIA-waived laboratory tests. SB 506 also expands the ability of licensed pharmacists to prescribe HIV pre-exposure and post-exposure prophylaxis medications without the need to participate in the Department’s Nonoccupational Postexposure Prophylaxis (nPEP) Standing Order Program.

The Board recognizes and is supportive of the integral role pharmacists serve in providing direct patient care. Indeed, pharmacists were central in the provision of vital vaccines during the COVID pandemic and continue to provide Maryland citizens with access to necessary vaccines today. However, the Board has concerns that certain proposed provisions in the bill are not in the interest of public health. In addition, certain provisions lack clarity and may result in confusion to pharmacists regarding the scope of the expanded authority.

Based on the above-mentioned concerns, the Board recommends the following amendments:

Amendment 1

As SB 506 intends to eliminate the requirement that pharmacists participate in the Department's nPEP Standing Order Program to prescribe HIV prophylaxis medications, the enabling statutes for the Program should also be deleted at Health Gen. Art. Sec.13-5301 through 13-5303.

Amendment 2

On page 3, strike lines 27 – 28 beginning with “DO NOT REQUIRE” and ending with “SELF-LIMITING.”

The bill language states that a licensed pharmacist may not prescribe for a condition that “requires a new diagnosis.” However, to perform a lab test, interpret the test results, and prescribe accordingly, a pharmacist must determine a diagnosis. Such language creates confusion and arguably negates the expanded authority intended.

Similarly, the bill's language limits a pharmacist's ability to test and prescribe to conditions that are “minor and self-limiting”. These terms are overly ambiguous and thus, arguably unenforceable. In addition, the bill specifically lists eligible conditions (p.4, lines 11-21) obviating the need for this language.

Amendment 3

On page 4, line 11, strike “COLD SORES”; line 14, strike “LICE”; line 17, strike “SKIN CONDITIONS, INCLUDING RING WORM AND ATHLETE'S FOOT”; and line 18, strike “URINARY TRACT INFECTION”.

The Board does not believe that treatment of such conditions is uniformly included in the core curriculum of school of pharmacy programs. In addition, certain conditions, such as “cold sores” or “skin conditions” may be an indication of a serious condition that requires medical treatment.

Amendment 4

On page 5, line 5, strike “PHARMACY STUDENT” and insert “REGISTERED INTERN.”

The Board requires pharmacy students who are working in a pharmacy, as well as foreign pharmacy graduates who are fulfilling their experiential requirements, to be registered interns in accordance with Health Occ. Sec. 12-6D-02, *et seq.*

Amendment 5

On page 5, lines 5-6, strike “AN INDIVIDUAL ENGAGED IN A BOARD-APPROVED TECHNICIAN TRAINING PROGRAM UNDER THE SUPERVISION OF THE PHARMACIST.”

The Board does not have jurisdiction over pharmacy technician trainees and has no ability to monitor them. The Board does not feel it is in the interest of public health and safety to permit such individuals, who have no consistent or verifiable training or experience, to perform testing.

With the proposed amendments above, the Board respectfully requests a favorable report on SB 506.

For more information, please contact Julie Gaskins, Legislative Liaison, Maryland Board of Pharmacy (410) 764-4709.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.