

HOUSE BILL 561

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CF SB 408

By: **Delegates Hubbard, Costa, Cullison, Elliott, Krebs, Oaks, Pena–Melnyk, Tarrant, and V. Turner**

Introduced and read first time: February 3, 2012

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Pharmacists – Administration of Vaccinations – Expanded Authority**

3 FOR the purpose of altering the authority of pharmacists to administer certain
4 vaccinations to certain individuals in accordance with certain regulations;
5 requiring the State Board of Pharmacy, in consultation with the Department of
6 Health and Mental Hygiene, to adopt certain regulations; and generally relating
7 to the authority of pharmacists to administer vaccinations.

8 BY repealing and reenacting, with amendments,
9 Article – Health Occupations
10 Section 12–508
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2011 Supplement)

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

15 **Article – Health Occupations**

16 12–508.

17 (a) (1) A pharmacist may administer **TO AN INDIVIDUAL WHO IS AT**
18 **LEAST 9 YEARS OLD, IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE**
19 **BOARD, IN CONSULTATION WITH THE DEPARTMENT:**

20 (I) [an] AN influenza vaccination [to an individual who is at
21 least 9 years old, in accordance with regulations adopted by the Board, in consultation
22 with the Department];

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(II) A VACCINATION THAT IS LISTED IN THE CENTERS FOR**
2 **DISEASE CONTROL AND PREVENTION’S RECOMMENDED IMMUNIZATION**
3 **SCHEDULE; OR**

4 **(III) A VACCINATION THAT IS RECOMMENDED IN THE**
5 **CENTERS FOR DISEASE CONTROL AND PREVENTION’S HEALTH INFORMATION**
6 **FOR INTERNATIONAL TRAVEL.**

7 (2) A pharmacist may administer a vaccination for pneumococcal
8 pneumonia or herpes zoster, or any vaccination that has been determined by the
9 Board, with the agreement of the Board of Physicians and the Board of Nursing to be
10 in the best health interests of the community, to an individual if:

11 (i) The individual is an adult;

12 (ii) The individual has a prescription from a physician;

13 (iii) The pharmacist informs the prescribing physician that the
14 vaccination has been administered;

15 (iv) If the prescribing physician is not the patient’s primary care
16 physician, the pharmacist has made a reasonable effort to inform the patient’s
17 primary care physician that the vaccination has been administered; and

18 (v) The vaccination is administered in accordance with
19 regulations adopted under subsection (c)(1) of this section.

20 (3) A pharmacist shall report to the Maryland Immunization Registry
21 an influenza vaccination administered by the pharmacist to individuals who are from
22 9 to 18 years of age.

23 (b) The Board shall set reasonable fees for the administration of vaccinations
24 in accordance with subsection (a) of this section.

25 (c) (1) The Board, the Board of Physicians, and the Board of Nursing
26 shall meet at least annually to jointly develop, adopt, and review regulations to
27 provide for patient safety and to implement subsection (a)(2) of this section.

28 (2) The regulations adopted under subsection (a)(1) of this section and
29 paragraph (1) of this subsection shall require a pharmacist to submit a registration
30 form to the Board that includes verification that the pharmacist:

31 (i) Has successfully completed a certification course approved
32 by the Board that included instruction in the guidelines and recommendations of the
33 Centers for Disease Control and Prevention regarding vaccinations; and

1 (ii) Is certified in basic cardiopulmonary resuscitation and
2 obtained the certification through in-person classroom instruction.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2012.