

Chapter 559

(Senate Bill 845)

AN ACT concerning

~~Health Occupations – Pharmacists – Administration of Vaccinations,~~ ~~Epinephrine, and Diphenhydramine – Children~~

FOR the purpose of ~~authorizing pharmacists to~~ altering the age of an individual to whom a pharmacist may administer a certain vaccinations and, under certain circumstances, epinephrine and diphenhydramine to certain individuals in accordance with certain regulations if certain requirements are met; requiring the State Board of Pharmacy to set certain fees vaccination; requiring a pharmacist to report a certain vaccination to a certain registry; altering requirements for regulations relating to certain vaccinations; and generally relating to the administration of vaccinations, epinephrine, and diphenhydramine by pharmacists to children.

BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12–508
Annotated Code of Maryland
(2009 Replacement Volume and 2010 Supplement)

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

Article – Health Occupations

12–508.

(a) ~~[(1) A] WITHOUT A PRESCRIPTION FROM A PHYSICIAN, A~~ pharmacist may administer ~~[an influenza] A~~ vaccination to an individual, ~~AND IN THE EVENT OF A SYSTEMIC REACTION TO THE VACCINATION BY THE INDIVIDUAL, EPINEPHRINE AND DIPHENHYDRAMINE~~ WHO IS AT LEAST 7 9 YEARS OLD, in accordance with regulations adopted ~~under subsection (c) of this section~~ BY THE BOARD, IN CONSULTATION WITH THE DEPARTMENT.

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

~~[(i) (1)] (1)~~ The individual is ~~[an adult] AT LEAST 7 YEARS OLD;~~

~~[(ii)]~~ The individual has a prescription from a physician;

(iii) The pharmacist informs the prescribing physician that the vaccination has been administered; ~~]~~

~~[(iv)]~~ ~~(2)~~ ~~]~~ If the prescribing physician is not the patient's primary care physician, the ~~]~~ ~~THE~~ pharmacist has made a reasonable effort to inform the patient's primary care physician that the vaccination has been administered; ~~]~~ and

~~(v)]~~ ~~(3)~~ The vaccination ~~]~~ ~~[is],~~ ~~EPINEPHRINE,~~ ~~AND~~ ~~DIPHENHYDRAMINE~~ ~~ARE~~ administered in accordance with regulations adopted under subsection ~~(e)~~ ~~(C)(1)~~ of this section~~;~~.

~~(4) THE PHARMACIST MEETS THE QUALIFICATIONS AND STANDARDS SPECIFIED IN REGULATIONS ADOPTED UNDER SUBSECTION (C) OF THIS SECTION; AND~~

~~(5) THE VACCINATION IS:~~

~~(i) LISTED IN THE CENTERS FOR DISEASE CONTROL AND PREVENTION RECOMMENDED IMMUNIZATION SCHEDULE; OR~~

~~(ii) RECOMMENDED IN THE CENTERS FOR DISEASE CONTROL AND PREVENTION HEALTH INFORMATION FOR INTERNATIONAL TRAVEL.~~

(3) A PHARMACIST SHALL REPORT TO THE MARYLAND IMMUNIZATION REGISTRY AN INFLUENZA VACCINATION ADMINISTERED BY THE PHARMACIST TO AN INDIVIDUAL ~~7~~ INDIVIDUALS WHO ARE FROM 9 TO 18 YEARS OF AGE.

(b) The Board shall set reasonable fees for the administration of vaccinations, ~~EPINEPHRINE, AND DIPHENHYDRAMINE~~ in accordance with subsection (a) of this section.

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

(2) The regulations adopted under SUBSECTION (A)(1) OF THIS SECTION AND paragraph (1) of this subsection shall require a pharmacist to submit a registration form to the Board that includes verification that the pharmacist:

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2011.

Approved by the Governor, May 19, 2011.