

# HOUSE BILL 656

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CF SB 545

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By: **Delegates K. Young, Bagnall, Brooks, Carr, Kipke, Krebs, R. Lewis, Moon, Solomon, ~~and Terrasa~~ Terrasa, Barron, Bhandari, Charles, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Morgan, Pena-Melnyk, Pendergrass, Reilly, Rosenberg, Sample-Hughes, and Szeliga**

Introduced and read first time: January 29, 2020

Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2020

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Pharmacists – Administration of Self-Administered Medications and**  
3 **Maintenance Injectable Medications**  
4 **(The Christopher King Access to Treatment Act)**

5 FOR the purpose of authorizing a pharmacist who meets the requirements of certain  
6 regulations to administer a maintenance injectable medication to a patient under  
7 certain circumstances; requiring the State Board of Pharmacy, on or before a certain  
8 date and in consultation with the State Board of Physicians and the State Board of  
9 Nursing, to adopt certain regulations for pharmacists to administer a maintenance  
10 injectable medication; establishing certain requirements for the regulations;  
11 requiring the Maryland Medical Assistance Program and the Maryland Children’s  
12 Health Program to provide coverage for the administering of certain  
13 self-administered medications and maintenance injectable medications rendered by  
14 a licensed pharmacist to the same extent as the services rendered by any other  
15 licensed health care practitioner; requiring certain insurers, nonprofit health service  
16 plans, and health maintenance organizations to provide coverage for the  
17 administering of certain self-administered medications and maintenance injectable  
18 medications rendered by a licensed pharmacist to the same extent as the services  
19 rendered by any other licensed health care practitioner; altering a certain definition;  
20 defining a certain term; providing for the application of certain provisions of this Act;  
21 and generally relating to the administering of self-administered medications and  
22 maintenance injectable medications by pharmacists.

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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.



- 1 BY repealing and reenacting, with amendments,  
2 Article – Health – General  
3 Section 15–148(c)  
4 Annotated Code of Maryland  
5 (2019 Replacement Volume)
- 6 BY repealing and reenacting, without amendments,  
7 Article – Health Occupations  
8 Section 12–101(a)  
9 Annotated Code of Maryland  
10 (2014 Replacement Volume and 2019 Supplement)
- 11 BY adding to  
12 Article – Health Occupations  
13 Section 12–101(o–1)  
14 Annotated Code of Maryland  
15 (2014 Replacement Volume and 2019 Supplement)
- 16 BY repealing and reenacting, with amendments,  
17 Article – Health Occupations  
18 Section 12–101(x)(1)(viii) and 12–509  
19 Annotated Code of Maryland  
20 (2014 Replacement Volume and 2019 Supplement)
- 21 BY adding to  
22 Article – Insurance  
23 Section 15–716  
24 Annotated Code of Maryland  
25 (2017 Replacement Volume and 2019 Supplement)

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

28 **Article – Health – General**

29 15–148.

30 (c) The Program and the Maryland Children’s Health Program shall provide  
31 coverage for services, **TO THE SAME EXTENT AS SERVICES RENDERED BY ANY OTHER**  
32 **LICENSED HEALTH CARE PRACTITIONER**, rendered to an enrollee by a licensed  
33 pharmacist under:

34 **(1) § 12–509 OF THE HEALTH OCCUPATIONS ARTICLE IN**  
35 **ADMINISTERING SELF-ADMINISTERED MEDICATIONS OR MAINTENANCE**  
36 **INJECTABLE MEDICATIONS; OR**

(2) § 12–511 of the Health Occupations Article[, to the same extent as services rendered by any other licensed health care practitioner,] in screening an enrollee and prescribing contraceptives for the enrollee.

#### Article – Health Occupations

12–101.

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

**(O-1) (1) “MAINTENANCE INJECTABLE MEDICATION” MEANS A MEDICATION THAT:**

**(I) IS ADMINISTERED BY INJECTION OTHER THAN INTRAVENOUSLY; AND**

**(II) TREATS A CHRONIC NEED, CONDITION, OR DISORDER.**

**(2) “MAINTENANCE INJECTABLE MEDICATION” INCLUDES A MEDICATION FOR THE TREATMENT OF A PSYCHIATRIC DISORDER OR SUBSTANCE USE DISORDER, CONTRACEPTION, VITAMINS, AND ANY OTHER CLASS OF MEDICATION APPROVED UNDER § 12–509(B)(1)(II) OF THIS TITLE.**

(x) (1) “Practice pharmacy” means to engage in any of the following activities:

(viii) Administering vaccinations in accordance with § 12–508 of this title or self-administered drugs **OR MAINTENANCE INJECTABLE MEDICATIONS** in accordance with § 12–509 of this title;

12–509.

(A) In addition to the authority granted to a pharmacist under § 12–508 of this subtitle, a pharmacist, in accordance with regulations adopted by the Board, may administer [a]:

**(1) A self-administered drug to a patient that is prescribed by an authorized prescriber; AND**

**(2) A MAINTENANCE INJECTABLE MEDICATION TO A PATIENT:**

~~**(I) THAT IS PRESCRIBED BY AN AUTHORIZED PRESCRIBER;**~~

**(1) 1. IF THE MAINTENANCE INJECTABLE MEDICATION IS PRESCRIBED BY AN AUTHORIZED PRESCRIBER; AND**

1                                   **2. IF THE AUTHORIZED PRESCRIBER HAS NOT ORDERED**  
2 **THAT THE INITIAL DOSE OF THE MAINTENANCE INJECTABLE MEDICATION BE**  
3 **ADMINISTERED BY A PRESCRIBER;**

4                                   **(II) IN ACCORDANCE WITH A STANDING ORDER ISSUED BY AN**  
5 **AUTHORIZED PUBLIC HEALTH OFFICIAL; OR**

6                                   **(III) IN ACCORDANCE WITH A PROTOCOL UNDER SUBTITLE 6A**  
7 **OF THIS TITLE.**

8                   **(B) (1) ON OR BEFORE SEPTEMBER 1, 2021, THE BOARD, IN**  
9 **CONSULTATION WITH THE STATE BOARD OF PHYSICIANS AND THE STATE BOARD**  
10 **OF NURSING, SHALL ADOPT REGULATIONS ~~ESTABLISHING STANDARD PROCEDURES:~~**

11                                   **(I) ESTABLISHING STANDARD PROCEDURES:**

12                                   ~~(H)~~ **1. THAT A PHARMACIST MUST USE TO ADMINISTER A**  
13 **MAINTENANCE INJECTABLE MEDICATION AFTER AN INITIAL DOSE IS ADMINISTERED**  
14 **BY THE PRESCRIBER; AND**

15                                   ~~(H)~~ **2. FOR COMMUNICATING TO THE PRESCRIBER**  
16 **WHETHER A MEDICATION WAS ADMINISTERED TO A SPECIFIC PATIENT AND**  
17 **RELEVANT INFORMATION ABOUT THE PATIENT'S CONDITION; AND**

18                                   **(II) APPROVING CLASSES OF MAINTENANCE INJECTABLE**  
19 **MEDICATIONS THAT MAY BE ADMINISTERED UNDER SUBSECTION (A)(2) OF THIS**  
20 **SECTION.**

21                                   **(2) THE REGULATIONS SHALL REQUIRE A PHARMACIST TO:**

22                                   **(I) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**  
23 **SUBSECTION, COMPLETE A TRAINING PROGRAM APPROVED BY THE BOARD FOR:**

24                                   **1. ADMINISTERING MAINTENANCE INJECTABLE**  
25 **MEDICATIONS; AND**

26                                   **2. MANAGING THE POPULATIONS THE PHARMACIST**  
27 **SERVES, THE MEDICATIONS BEING ADMINISTERED, AND THE CURRENT GUIDELINES**  
28 **RELATING TO THESE POPULATIONS AND MEDICATIONS;**

29                                   **(II) FOLLOW THE STANDARD PROCEDURES ESTABLISHED BY**  
30 **THE BOARD; AND**

1 (III) AFTER ADMINISTERING A MAINTENANCE INJECTABLE  
2 MEDICATION:

3 1. NOTIFY THE PRESCRIBER THAT THE MAINTENANCE  
4 INJECTABLE MEDICATION WAS ADMINISTERED AND OF ANY RELEVANT DETAILS  
5 ABOUT THE PATIENT'S CONDITION;

6 2. PROVIDE THE PATIENT WITH A WRITTEN RECORD OF  
7 THE MAINTENANCE INJECTABLE MEDICATION ADMINISTERED;

8 3. RECORD IN ANY ELECTRONIC OR WRITTEN HEALTH  
9 RECORD ON THE PATIENT MAINTAINED BY THE PHARMACIST:

10 A. THE ADMINISTERING OF THE MAINTENANCE  
11 INJECTABLE MEDICATION; AND

12 B. ANY PERTINENT DETAILS ABOUT THE PATIENT'S  
13 CONDITION; AND

14 4. NOTIFY THE PATIENT OF THE NEED TO ATTEND ANY  
15 UPCOMING APPOINTMENTS THE PATIENT HAS SCHEDULED WITH THE PRESCRIBER.

16 (3) THE REGULATIONS SHALL WAIVE THE REQUIREMENT TO  
17 COMPLETE A TRAINING PROGRAM FOR A PHARMACIST WHO ALREADY HAS  
18 UNDERGONE THE TRAINING AS PART OF THE PHARMACIST'S FORMAL EDUCATIONAL  
19 PROGRAM.

20 Article – Insurance

21 15-716.

22 (A) THIS SECTION APPLIES TO INDIVIDUAL, GROUP, OR BLANKET HEALTH  
23 INSURANCE POLICIES AND CONTRACTS DELIVERED OR ISSUED FOR DELIVERY IN  
24 THE STATE BY INSURERS, NONPROFIT HEALTH SERVICE PLANS, AND HEALTH  
25 MAINTENANCE ORGANIZATIONS FOR COVERAGE FOR PATIENT ASSESSMENT  
26 REGARDING, AND ADMINISTRATION OF, SELF-ADMINISTERED MEDICATIONS AND  
27 MAINTENANCE INJECTABLE MEDICATIONS.

28 (B) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR  
29 SERVICES RENDERED BY A LICENSED PHARMACIST UNDER § 12-509 OF THE  
30 HEALTH OCCUPATIONS ARTICLE TO AN INDIVIDUAL WHO IS COVERED UNDER A  
31 POLICY OR CONTRACT ISSUED OR DELIVERED BY THE ENTITY, TO THE SAME EXTENT  
32 AS SERVICES RENDERED BY ANY OTHER LICENSED HEALTH CARE PRACTITIONER, IN

1 ADMINISTERING SELF-ADMINISTERED MEDICATIONS OR MAINTENANCE  
2 INJECTABLE MEDICATIONS.

3 SECTION 2. AND BE IT FURTHER ENACTED, That § 15-716 of the Insurance  
4 Article, as enacted by Section 1 of this Act, shall apply to all policies and contracts issued,  
5 delivered, or renewed in the State on or after January 1, 2021.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2020.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.