

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 706 (Senator Feldman)
Education, Health, and Environmental Affairs

Health Occupations – Pharmacists – Laboratory Tests

This bill expands the practice of pharmacy to include ordering and administering laboratory tests in accordance with regulations adopted by the State Board of Pharmacy. If a pharmacist receives results from a laboratory test that are not within the desired range, the pharmacist must provide the results to the consumer’s primary care provider or refer the consumer to a licensed independent practitioner for further evaluation. By January 1, 2024, the board must submit a report to the General Assembly on the implementation of the bill and recommend whether the provisions should be extended, modified, or terminated. **The bill terminates September 30, 2024.**

Fiscal Summary

State Effect: The board can adopt regulations and report on implementation of the bill using existing budgeted resources. Revenues are not affected.

Local Effect: None.

Small Business Effect: Meaningful.

Analysis

Bill Summary: By January 1, 2022, the board must adopt regulations authorizing a pharmacist to order and administer, without a prescription from an authorized prescriber, laboratory tests that (1) are used for health awareness, including screening and early disease detection; (2) are analyzed in a high complexity clinical laboratory that meets specified federal requirements; (3) measure biomarkers or any other clinical value that may assist in early detection, prevention, or mitigation of disease; (4) use bodily specimens that can be safely and effectively collected at the pharmacy, as specified; and (5) are paid for by a

consumer or an employer, or are covered by an insurance plan that expressly authorizes the ordering and administering of the laboratory test by a pharmacist.

Current Law: An individual must be licensed by the State Board of Pharmacy to practice pharmacy in the State. The practice of pharmacy includes compounding, dispensing, or distributing prescription drugs or devices; monitoring prescriptions; providing information, explanation, and recommendations to patients and health care practitioners about the safe and effective use of prescription drugs or devices; providing drug therapy management; administering vaccinations; prescribing and dispensing certain contraceptive medications and devices; and administering a self-administered drug to a patient in accordance with regulations adopted by the board.

To administer vaccinations, a pharmacist must submit a registration form to the board that includes verification that the pharmacist has successfully completed a specified certification course and is certified in cardiopulmonary resuscitation.

The Drug Therapy Management Program authorizes physicians and pharmacists to enter into a therapy management contract that specifies treatment protocols for patient care. An authorized prescriber who has entered into such an agreement must submit specified documentation to the State Board of Pharmacy. A drug therapy management protocol may authorize the ordering of laboratory tests. A protocol must contain, among other things, monitoring parameters, including laboratory tests for the condition and medication employed.

Small Business Effect: Small business pharmacies may order and administer certain laboratory tests under the bill.

Additional Information

Prior Introductions: None.

Designated Cross File: HB 810 (Delegate Cullison) - Health and Government Operations.

Information Source(s): Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - February 28, 2021
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