

Chapter 719

(House Bill 229)

AN ACT concerning

**Pharmacists – Administration of ~~Maintenance Injectable Medications~~ –
Medications for Treatment of Sexually Transmitted Infections**

FOR the purpose of ~~altering the definition of “maintenance injectable medication” for the purposes of provisions of law governing the administration of maintenance injectable medications by pharmacists to include a medication that treats a sexually transmitted infection and is not a vaccine~~ defining “injectable medications for treatment of sexually transmitted infections” for the purposes of authorizing pharmacists to administer the medications; requiring certain insurers, nonprofit health service plans, health maintenance organizations, the Maryland Medical Assistance Program, and the Maryland Children’s Health Program to provide certain coverage for the administration of the medication by a pharmacist; and generally relating to the administration of maintenance injectable medications by pharmacists.

~~BY repealing and reenacting, with amendments,
Article – Health Occupations
Section 12-101(o-1)
Annotated Code of Maryland
(2021 Replacement Volume)~~

BY repealing and reenacting, with amendments,
Article – Health – General
Section 15-148(c)
Annotated Code of Maryland
(2019 Replacement Volume and 2021 Supplement)

BY adding to
Article – Health Occupations
Section 12-101(l-1)
Annotated Code of Maryland
(2021 Replacement Volume)

BY repealing and reenacting, ~~without~~ with amendments,
Article – Health Occupations
Section ~~12-500(a) and (b)~~ 12-509
Annotated Code of Maryland
(2021 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Insurance

Section 15–716
Annotated Code of Maryland
(2017 Replacement Volume and 2021 Supplement)

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

Article – Health – General

15–148.

(c) The Program and the Maryland Children’s Health Program shall provide coverage for services, to the same extent as services rendered by any other licensed health care practitioner, rendered to an enrollee by a licensed pharmacist under:

(1) § 12–509 of the Health Occupations Article in administering self-administered medications [or], maintenance injectable medications, **OR INJECTABLE MEDICATIONS FOR TREATMENT OF SEXUALLY TRANSMITTED INFECTIONS;** or

(2) § 12–511 of the Health Occupations Article in screening an enrollee and prescribing contraceptives for the enrollee.

Article – Health Occupations

12–101.

~~(o-1) (1) “Maintenance injectable medication” means a medication that:~~

~~(i) Is administered by injection other than intravenously; and~~

~~(ii) **1.** Treats a chronic need, condition, or disorder; **OR**~~

~~**2. TREATS A SEXUALLY TRANSMITTED INFECTION AND IS NOT A VACCINE.**~~

~~(2) “Maintenance injectable medication” includes a medication for the treatment of a psychiatric disorder or substance use disorder, contraception, and vitamins.~~

(L-1) “INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION” MEANS A MEDICATION THAT:

(1) IS ADMINISTERED BY INJECTION OTHER THAN INTRAVENOUSLY;

(2) TREATS A SEXUALLY TRANSMITTED INFECTION; AND

(3) IS NOT A VACCINE.

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:

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

(2) Subject to subsection (b) of this section, a maintenance injectable medication **OR AN INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION** that is not a biological product to a patient:

(i) That is prescribed by an authorized prescriber;

(ii) In accordance with a standing order issued by an authorized public health official; or

(iii) In accordance with a protocol under Subtitle 6A of this title.

(b) A pharmacist may not administer an initial dose of a maintenance injectable medication product **OR AN INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION** under subsection (a)(2) of this section unless the pharmacist receives written approval from the prescriber.

(c) (1) On or before September 1, 2021, the Board, in consultation with the State Board of Physicians and the State Board of Nursing, shall adopt regulations establishing standard procedures:

(i) For notifying a patient about payment for services before the pharmacist administers a maintenance injectable medication **OR AN INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION**;

(ii) That a pharmacist must use to administer [a]:

1. A maintenance injectable medication after an initial dose is administered by the prescriber; OR

2. **AN INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION**;

(iii) That a pharmacist must use to administer an initial dose of a maintenance injectable medication **OR AN INJECTABLE MEDICATION FOR TREATMENT**

OF A SEXUALLY TRANSMITTED INFECTION if the administration of the initial dose is authorized under subsection (b) of this section; and

(iv) For communicating to the prescriber whether a medication was administered to a specific patient and relevant information about the patient's condition.

(2) The regulations shall require a pharmacist to:

(i) Except as provided in paragraph (3) of this subsection, complete a training program approved by the Board for:

1. Administering maintenance injectable medications AND INJECTABLE MEDICATIONS FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION; and

2. Managing the populations the pharmacist serves, the medications being administered, and the current guidelines relating to these populations and medications;

(ii) Follow the standard procedures established by the Board; and

(iii) After administering a maintenance injectable medication OR AN INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION:

1. Notify the prescriber that the maintenance injectable medication OR INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION was administered and of any relevant details about the patient's condition;

2. Provide the patient with a written record of the maintenance injectable medication OR INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION administered;

3. Record in any electronic or written health record on the patient maintained by the pharmacist:

A. The administering of the maintenance injectable medication OR INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION; and

B. Any pertinent details about the patient's condition; and

4. Notify the patient of the need to attend any upcoming appointments the patient has scheduled with the prescriber.

(3) The regulations shall waive the requirement to complete a training program for a pharmacist who already has undergone the training as part of the pharmacist's formal educational program.

Article – Insurance

15–716.

(a) This section applies to individual, group, or blanket health insurance policies and contracts delivered or issued for delivery in the State by insurers, nonprofit health service plans, and health maintenance organizations that provide coverage for patient assessment regarding, and administration of, self-administered medications [and], maintenance injectable medications, AND INJECTABLE MEDICATIONS FOR TREATMENT OF SEXUALLY TRANSMITTED INFECTIONS.

(b) An entity subject to this section shall provide coverage for services rendered by a licensed pharmacist under § 12–509 of the Health Occupations Article to an individual who is covered under a policy or contract issued or delivered by the entity, to the same extent as services rendered by any other licensed health care practitioner, for patient assessment regarding and in administering self-administered medications [or], maintenance injectable medications, OR INJECTABLE MEDICATIONS FOR TREATMENT OF SEXUALLY TRANSMITTED INFECTIONS.

SECTION 2. AND BE IT FURTHER ENACTED, That, to the extent determined appropriate by the State Board of Pharmacy, the regulations adopted by the State Board of Pharmacy, in consultation with the State Board of Physicians and the State Board of Nursing, under § 12–509 of the Health Occupations Article, as enacted by Chapters 757 and 758 of the Acts of 2021, for the administration of maintenance injectable medications by a pharmacist shall be the same regulations for the administration of injectable medications for treatment of sexually transmitted infections by a pharmacist adopted in accordance with § 12–509 of the Health Occupations Article, as enacted by this Act.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 29, 2022.