

HB0229/773325/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 229
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Maintenance**”; in the same line, strike “**Medications –**” and substitute “**Medications for**”; strike beginning with “altering” in line 4 down through “vaccine” in line 7 and substitute “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”; strike in their entirety lines 9 through 13, inclusive, and substitute:

“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)”;

in line 14, strike “without” and substitute “with”; in line 16, strike “12–509(a) and (b)” and substitute “12–509”; and after line 18, insert:

“BY repealing and reenacting, with amendments,

Article - Insurance

Section 15-716

Annotated Code of Maryland

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(2017 Replacement Volume and 2021 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 20, insert:

“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.”.

AMENDMENT NO. 3

On pages 1 and 2, strike in their entirety the lines beginning with line 23 on page 1 through line 5 on page 2, inclusive, and substitute:

“(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.”.

On page 2, in line 13, after “medication” insert **“OR AN INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION”**; in line

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19, after “product” insert “**OR AN INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION**”; after line 20, insert:

“(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

(Over)

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

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(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.”;

and in line 21, strike “2.” and substitute “3.”.