

# HOUSE BILL 1232

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EMERGENCY BILL

3lr3001  
CF SB 372

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By: ~~Delegate Lopez~~ Delegates Lopez, Alston, Bagnall, Bhandari, Cullison, Guzzone, S. Johnson, Kaiser, R. Lewis, Martinez, Pena-Melnyk, Rosenberg, Taveras, and White

Introduced and read first time: February 13, 2023

Assigned to: Rules and Executive Nominations

Re-referred to: Health and Government Operations, February 28, 2023

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 2023

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

1 AN ACT concerning

2 **Health Occupations – Pharmacists – Administration of Vaccines**

3 FOR the purpose of ~~authorizing a pharmacist~~ altering the time period during which a  
4 pharmacist is authorized to order and administer certain vaccinations to an  
5 individual in a certain age group if certain requirements are met; ~~altering the age of~~  
6 an individual to whom a pharmacist may administer certain vaccinations; ~~repealing~~  
7 the requirement that a pharmacist administer certain vaccinations under a written  
8 protocol; ~~authorizing a pharmacist to administer certain vaccinations to an adult;~~  
9 and generally relating to the administration of vaccinations by pharmacists.

10 BY repealing and reenacting, with amendments,

11 Article – Health Occupations

12 Section 12-508(c)

13 Annotated Code of Maryland

14 (2021 Replacement Volume and 2022 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

16 That the Laws of Maryland read as follows:

17 **Article – Health Occupations**

18 12-508.

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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           (a)   (1)   ~~Subject to subsection (c) of this section, a pharmacist may administer~~  
 2 ~~an influenza vaccination to an individual who is at least 9 years old, in accordance with~~  
 3 ~~regulations adopted by the Board, in consultation with the Department.~~

4           (2)   ~~Subject to subsection (c) of this section, a~~ **A pharmacist may ORDER**  
 5 **AND administer a vaccination [that] TO AN INDIVIDUAL WHO IS AT LEAST 3 YEARS OLD**  
 6 **BUT UNDER THE AGE OF 18 YEARS IF:**

7                   (i)   **1.   THE VACCINE is listed in the Centers for Disease Control**  
 8 **and Prevention's Recommended Immunization Schedule [to an individual who:**

9                           (i)   ~~Is at least 11 years old but under the age of 18 years; and~~

10                           (ii) ~~Has a prescription from an authorized prescriber]; OR~~

11                           **2.   THE VACCINE IS APPROVED OR AUTHORIZED BY THE**  
 12 **U.S. FOOD AND DRUG ADMINISTRATION;**

13                   (ii) ~~THE PHARMACIST HAS COMPLETED A PRACTICAL TRAINING~~  
 14 ~~PROGRAM OF AT LEAST 20 HOURS THAT IS APPROVED BY THE ACCREDITATION~~  
 15 ~~COUNCIL FOR PHARMACY EDUCATION AND INCLUDES:~~

16                           **1.   HANDS ON INJECTION TECHNIQUES;**

17                           **2.   CLINICAL EVALUATION OF INDICATIONS AND**  
 18 **CONTRAINDICATIONS OF VACCINES; AND**

19                           **3.   THE RECOGNITION AND TREATMENT OF EMERGENCY**  
 20 **REACTIONS TO VACCINES;**

21                   (iii) ~~THE PHARMACIST HAS A CURRENT CERTIFICATE IN BASIC~~  
 22 **CARDIOPULMONARY RESUSCITATION;**

23                   (iv) ~~THE PHARMACIST HAS COMPLETED A MINIMUM OF 2 HOURS~~  
 24 ~~OF CONTINUING PHARMACEUTICAL EDUCATION RELATED TO IMMUNIZATIONS THAT~~  
 25 ~~IS APPROVED BY THE ACCREDITATION COUNCIL FOR PHARMACY EDUCATION AS~~  
 26 ~~PART OF THE LICENSE RENEWAL REQUIREMENTS UNDER § 12-309 OF THIS TITLE;~~

27                   (v) ~~THE PHARMACIST COMPLIES WITH THE RECORD-KEEPING~~  
 28 ~~AND REPORTING REQUIREMENTS IN PARAGRAPH (3) OF THIS SUBSECTION AND ANY~~  
 29 ~~CORRESPONDING REGULATIONS ADOPTED BY THE BOARD; AND~~

30                   (vi) ~~THE PHARMACIST INFORMS EACH CHILD VACCINATION~~  
 31 ~~PATIENT AND ADULT CAREGIVER WHO IS ACCOMPANYING THE CHILD OF THE~~

~~1 IMPORTANCE OF WELL CHILD VISITS WITH A PEDIATRIC PRIMARY CARE PROVIDER  
2 AND REFERS THE PATIENT TO A PEDIATRIC PRIMARY CARE PROVIDER WHEN  
3 APPROPRIATE.~~

~~4 [(3)] (2) [(i) Subject to subparagraph (ii) of this paragraph, a] A  
5 pharmacist may administer to an adult a vaccination that is:~~

~~6 [1.] (I) Listed in the Centers for Disease Control and  
7 Prevention's Recommended Immunization Schedule; [or]~~

~~8 [2.] (II) Recommended in the Centers for Disease Control  
9 and Prevention's Health Information for International Travel; OR~~

~~10 (III) APPROVED BY THE U.S. FOOD AND DRUG  
11 ADMINISTRATION.~~

~~12 [(ii) A pharmacist shall administer a vaccination under  
13 subparagraph (i) of this paragraph under a written protocol that:~~

~~14 1. Is vaccine specific; and~~

~~15 2. Meets criteria established by the Department, in  
16 consultation with the Board, the Board of Physicians, and the Board of Nursing, in  
17 regulation.]~~

~~18 [(4)] (3) A pharmacist shall:~~

~~19 (i) Report all vaccinations administered by the pharmacist to the  
20 ImmuNet Program established under § 18-109 of the Health General Article;~~

~~21 (ii) If the vaccination has been administered in accordance with a  
22 prescription, document at least one effort to inform the individual's authorized prescriber  
23 that the vaccination has been administered; and~~

~~24 (iii) [For a vaccination administered under paragraph (2) or (3)]  
25 EXCEPT FOR AN INFLUENZA VACCINATION ADMINISTERED UNDER PARAGRAPH (1)  
26 of this subsection, if the authorized prescriber is not the individual's primary care provider  
27 or if the vaccination has not been administered in accordance with a prescription, document  
28 at least one effort to inform the individual's primary care provider or other usual source of  
29 care that the vaccination has been administered.~~

~~30 (b) The Board shall:~~

~~31 (1) Set reasonable fees for the administration of vaccinations under this  
32 section; and~~

1           ~~(2) Adopt regulations that require a pharmacist to submit a registration~~  
2 ~~form to the Board that includes verification that the pharmacist:~~

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

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

8           **f(c)** From July 1, 2021, to ~~June 30, 2023~~ **JUNE 30, 2024**, inclusive, a pharmacist  
9 may administer a vaccine to an individual who is at least 3 years old but under the age of  
10 18 years if:

11           (1) The vaccine is approved by the U.S. Food and Drug Administration;

12           (2) The vaccination is ordered and administered in accordance with the  
13 Centers for Disease Control and Prevention's Advisory Committee on Immunization  
14 Practices immunization schedules;

15           (3) The pharmacist has completed a practical training program of at least  
16 20 hours that is approved by the Accreditation Council for Pharmacy Education and  
17 includes:

18                   (i) Hands-on injection techniques;

19                   (ii) Clinical evaluation of indications and contraindications of  
20 vaccines; and

21                   (iii) The recognition and treatment of emergency reactions to  
22 vaccines;

23           (4) The pharmacist has a current certificate in basic cardiopulmonary  
24 resuscitation;

25           (5) The pharmacist has completed a minimum of 2 hours of continuing  
26 pharmaceutical education related to immunizations that is approved by the Accreditation  
27 Council for Pharmacy Education as part of the license renewal requirements under §  
28 12-309 of this title;

29           (6) The pharmacist complies with the record-keeping and reporting  
30 requirements in subsection (a)(4) of this section and the corresponding regulations; and

31           (7) The pharmacist informs each child vaccination patient and adult  
32 caregiver who is accompanying the child of the importance of well-child visits with a  
33 pediatric primary care provider and refers the patient to a pediatric primary care provider  
34 when appropriate.†

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency  
2 measure, is necessary for the immediate preservation of the public health or safety, has  
3 been passed by a yea and nay vote supported by three-fifths of all the members elected to  
4 each of the two Houses of the General Assembly, and shall take effect from the date it is  
5 enacted.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.