

**Department of Legislative Services**  
Maryland General Assembly  
2023 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 372  
Finance

(Senator Augustine)

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**Health Occupations - Pharmacists - Administration of Vaccines**

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This emergency bill permanently authorizes a licensed pharmacist to order and administer vaccinations, under specified circumstances, to individuals as young as three years old. The bill also repeals the requirement that a pharmacist administer vaccinations to an adult under a specified written protocol and authorizes a pharmacist to administer to an adult a vaccination approved by the U.S. Food and Drug Administration (FDA).

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**Fiscal Summary**

**State Effect:** The bill does not substantively change State activities or operations.

**Local Effect:** The bill does not directly affect local government operations or finances.

**Small Business Effect:** Meaningful.

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**Analysis**

**Bill Summary/Current Law:** An individual must be licensed by the State Board of Pharmacy to practice pharmacy in the State. The practice of pharmacy includes administering vaccinations under specified circumstances.

Licensed pharmacists may administer an influenza vaccination to an individual who is at least nine years old, provided the vaccination is administered in accordance with regulations adopted by the board in consultation with the Maryland Department of Health (MDH). For individuals 11 to 17 years old, a pharmacist may administer a vaccination listed in the Centers for Disease Control and Prevention's (CDC's) recommended immunization schedule if the individual has a prescription from an authorized prescriber.

For adults, a pharmacist may administer a vaccination listed in CDC's recommended immunization schedule or *Health Information for International Travel* if the vaccination is administered under a written protocol that (1) is vaccine specific and (2) meets criteria established in regulation by MDH, in consultation with the boards of pharmacy, physicians, and nursing. A prescription is not required to administer these vaccinations to an individual age 18 or older.

Chapters 792 and 793 of 2021 authorize a pharmacist, from July 1, 2021, to June 30, 2023, to administer an FDA-approved vaccine to an individual age 3 to 17, if the vaccination is ordered and administered in accordance with the immunization schedules of the CDC's Advisory Committee on Immunization Practices. The pharmacist must (1) complete a specified practical training program; (2) have a current certificate in basic cardiopulmonary resuscitation; (3) complete a minimum of two hours of specified continuing pharmaceutical education related to immunizations; (4) comply with specified recordkeeping and reporting requirements; and (5) inform each child vaccination patient and adult caregiver of the importance of well-child visits with a pediatric primary care provider and refer the patient to such a provider when appropriate.

The bill makes the vaccination provisions of Chapters 792 and 793 permanent and removes the requirement that a child be at least nine years old to receive an influenza vaccination from a pharmacist. The bill also repeals the requirement that, when administering vaccinations to adults, a pharmacist must do so under a written protocol that is vaccine specific and meets criteria established in regulation by MDH, in consultation with the boards of pharmacy, physicians, and nursing. A pharmacist may administer to an adult an FDA-approved vaccination.

**Small Business Effect:** Small business pharmacies benefit from the ability to continue administering vaccinations to children as young as age 3 on a permanent basis. Conversely, other health care providers that administer vaccinations may administer fewer vaccinations.

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### **Additional Information**

**Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** HB 1232 (Delegate Lopez) - Rules and Executive Nominations.

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

**Fiscal Note History:** First Reader - February 24, 2023  
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