



Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

March 24, 2022

The Honorable Shane E. Pendergrass
Chair, House Health and Government Operations Committee
Room 241 House Office Building
Annapolis, MD 21401-1991

RE:SB 355 – HIV Prevention Drugs – Prescribing and Dispensing by Pharmacists and Insurance Requirements – Letter of Information

Dear Chair Pendergrass and Committee Members:

The Maryland Board of Nursing (the Board) respectfully submits this letter of information for Senate Bill (SB) 355 – HIV Prevention Drugs – Prescribing and Dispensing by Pharmacists and Insurance Requirements. This bill authorizes pharmacists to prescribe and dispense pre-exposure prophylaxis and post-exposure prophylaxis for HIV prevention to patients under certain circumstances; requires the Maryland Medical Assistance Program to provide drugs that are approved by the United States Food and Drug Administration (FDA) for HIV prevention; and prohibits managed care organizations, certain insurers, nonprofit health service plans, and health maintenance organizations from requiring prior authorization for certain drugs for HIV prevention.

The Board believes it is necessary to expand access to prophylaxis medications for HIV prevention to individuals who are truly in need of this service. The Board, however, is not in favor of restricting certain practitioners, by way of additional training or administrative burden, from prescribing these medications. The pandemic has placed incredible limitations on healthcare practitioners' ability to provide adequate and timely care. Patients are unable to receive expeditious treatment, and, in turn, their illnesses are left aggravated. There has, however, been a collective response by the legislature related to expanding certain scopes of practice to address the current obstacles in the healthcare field.

The Board believes pharmacists are educationally prepared and competent to prescribe and dispense prophylaxis medications for HIV prevention. To practice in the state of Maryland, pharmacists must: (1) complete a rigorous four-to-six year education and residency program; (2) successfully pass the national certification test; and (3) obtain a license in good standing from the Board of Pharmacy. Pharmacists are noted to be one of the most readily accessible healthcare practitioners in the community. Most Marylanders live within a few minutes' walk or drive of a pharmacy. Additionally, individuals often do not need an appointment to consult a pharmacist on

their prescribed medication. The Board respectfully defers to the Board of Pharmacy for their thoughts and expertise.

For the reasons discussed above, the Board of Nursing respectfully submits this letter of information for SB 355.

I hope this information is useful. For more information, please contact Iman Farid, Health Policy Analyst, at (410) 585 – 1536 (iman.farid@maryland.gov) or Rhonda Scott, Deputy Director, at (410) 585 – 1953 (rhonda.scott2@maryland.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "G. Hicks", written in a cursive style.

Gary N. Hicks
Board President

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.