

HOUSE BILL 1462

J1

2lr3166

By: **Delegate Cox**

Introduced and read first time: February 25, 2022

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Health – Ivermectin – Standing Order**
3 **(Protocol Drug Act)**

4 FOR the purpose of authorizing licensed physicians and advanced practice registered
5 nurses to prescribe ivermectin by issuing a standing order; establishing procedures
6 for pharmacists to follow when issuing ivermectin under a standing order; and
7 generally relating to a standing order for ivermectin.

8 BY adding to

9 Article – Health – General

10 Section 20–2201 and 20–2202 to be under the new subtitle “Subtitle 22. Ivermectin
11 Standing Order”

12 Annotated Code of Maryland

13 (2019 Replacement Volume and 2021 Supplement)

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

16 **Article – Health – General**

17 **SUBTITLE 22. IVERMECTIN STANDING ORDER.**

18 **20–2201.**

19 **IN THIS SUBTITLE, “STANDING ORDER” MEANS A WRITTEN AND SIGNED**
20 **PROTOCOL AUTHORED BY ONE OR MORE PHYSICIANS OR ADVANCED PRACTICE**
21 **REGISTERED NURSES LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE.**

22 **20–2202.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) A LICENSED PHYSICIAN OR AN ADVANCED PRACTICE REGISTERED**
2 **NURSE WITH PRESCRIBING AUTHORITY MAY PRESCRIBE IVERMECTIN BY ISSUING A**
3 **STANDING ORDER.**

4 **(B) A STANDING ORDER ISSUED UNDER SUBSECTION (A) OF THIS SECTION**
5 **SHALL:**

6 **(1) SPECIFY A PROTOCOL THAT ALLOWS PHARMACISTS LICENSED**
7 **UNDER THE HEALTH OCCUPATIONS ARTICLE TO DISPENSE IVERMECTIN;**

8 **(2) SPECIFY A MECHANISM TO DOCUMENT SCREENING PERFORMED**
9 **OF THE PATIENT AND THE PRESCRIPTION IN THE PATIENT'S MEDICAL RECORD; AND**

10 **(3) INCLUDE A PLAN FOR EVALUATING AND TREATING ADVERSE**
11 **EVENTS.**

12 **(C) A PRESCRIPTIONS WRITTEN UNDER THIS SECTION SHALL BE REGARDED**
13 **AS BEING WRITTEN FOR A LEGITIMATE MEDICAL PURPOSE IN THE USUAL COURSE**
14 **OF PROFESSIONAL PRACTICE.**

15 **(D) A PHARMACIST LICENSED UNDER THE HEALTH OCCUPATIONS ARTICLE**
16 **FOLLOWING A STANDING ORDER ISSUED UNDER THIS SECTION MAY DISPENSE**
17 **IVERMECTIN TO INDIVIDUALS IN THE STATE WITHOUT A PRIOR PRESCRIPTION.**

18 **(E) A PHARMACIST, A PHARMACY, A PHYSICIAN, OR AN ADVANCED**
19 **PRACTICE REGISTERED NURSE ISSUING OR FOLLOWING A STANDING ORDER ISSUED**
20 **UNDER THIS SECTION MAY NOT SEEK A RELATED PERSONAL FINANCIAL BENEFIT BY:**

21 **(1) PARTICIPATING IN ANY INCENTIVE-BASED PROGRAM; OR**

22 **(2) ACCEPTING ANY INDUCEMENT THAT INFLUENCES OR**
23 **ENCOURAGES THERAPEUTIC OR PRODUCT CHANGES OR THE ORDERING OF TESTS**
24 **OR SERVICES.**

25 **(F) (1) A PHARMACIST SHALL PROVIDE EACH INDIVIDUAL WHO IS**
26 **DISPENSED IVERMECTIN UNDER THIS SECTION WITH A STANDARDIZED**
27 **INFORMATION SHEET WRITTEN IN PLAIN LANGUAGE.**

28 **(2) THE STANDARDIZED INFORMATION SHEET SHALL INCLUDE THE**
29 **IMPORTANCE OF FOLLOW-UP CARE AND HEALTH CARE REFERRAL INFORMATION.**

30 **(3) THE INFORMATION SHEET MAY NOT DISCOURAGE THE RECIPIENT**
31 **FROM USING IVERMECTIN FOR THE TREATMENT OF COVID-19.**

1 **(G) (1) THE STATE BOARD OF PHYSICIANS MAY NOT DENY, REVOKE, OR**
2 **SUSPEND THE LICENSE OF OR OTHERWISE TAKE DISCIPLINARY ACTION AGAINST A**
3 **PHYSICIAN BASED ON A PHARMACIST’S FAILURE TO FOLLOW A STANDING ORDER**
4 **ISSUED UNDER THIS SECTION IF THE REQUIREMENTS OF THIS SECTION ARE**
5 **SATISFIED BY THE PHYSICIAN.**

6 **(2) THE STATE BOARD OF NURSING MAY NOT DENY, REVOKE, OR**
7 **SUSPEND THE LICENSE OF OR OTHERWISE TAKE DISCIPLINARY ACTION AGAINST AN**
8 **ADVANCED PRACTICE REGISTERED NURSE BASED ON A PHARMACIST’S FAILURE TO**
9 **FOLLOW A STANDING ORDER ISSUED UNDER THIS SECTION IF THE REQUIREMENTS**
10 **OF THIS SECTION ARE SATISFIED BY THE ADVANCED PRACTICE REGISTERED NURSE.**

11 **(3) THE STATE BOARD OF PHARMACY MAY NOT DENY, REVOKE, OR**
12 **SUSPEND THE LICENSE OF OR OTHERWISE TAKE DISCIPLINARY AGAINST A**
13 **PHARMACIST WHO FOLLOWS A STANDING ORDER ISSUED UNDER THIS SECTION**
14 **BASED ON A DEFECT IN THE STANDING ORDER IF THE REQUIREMENTS OF THIS**
15 **SECTION ARE OTHERWISE SATISFIED BY THE PHARMACIST.**

16 **(H) THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THIS**
17 **SECTION.**

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