

HOUSE BILL 229

J2, J1

2lr1027
CF SB 19

By: **Delegates K. Young, Belcastro, Forbes, Healey, McComas, Reznik, and Ruth**

Introduced and read first time: January 13, 2022

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 2, 2022

CHAPTER _____

1 AN ACT concerning

2 **Pharmacists – Administration of ~~Maintenance Injectable Medications~~**
3 **Medications for Treatment of Sexually Transmitted Infections**

4 FOR the purpose of ~~altering the definition of “maintenance injectable medication” for the~~
5 ~~purposes of provisions of law governing the administration of maintenance injectable~~
6 ~~medications by pharmacists to include a medication that treats a sexually~~
7 ~~transmitted infection and is not a vaccine~~ defining “injectable medications for
8 treatment of sexually transmitted infections” for the purposes of authorizing
9 pharmacists to administer the medications; requiring certain insurers, nonprofit
10 health service plans, health maintenance organizations, the Maryland Medical
11 Assistance Program, and the Maryland Children’s Health Program to provide certain
12 coverage for the administration of the medication by a pharmacist; and generally
13 relating to the administration of maintenance injectable medications by
14 pharmacists.

15 ~~BY repealing and reenacting, with amendments,~~
16 ~~Article – Health Occupations~~
17 ~~Section 12–101(o–1)~~
18 ~~Annotated Code of Maryland~~
19 ~~(2021 Replacement Volume)~~

20 BY repealing and reenacting, with amendments,
21 Article – Health – General
22 Section 15–148(c)
23 Annotated Code of Maryland

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.



(2019 Replacement Volume and 2021 Supplement)

BY adding to

Article – Health Occupations

Section 12–101(l–1)

Annotated Code of Maryland

(2021 Replacement Volume)

BY repealing and reenacting, ~~without~~ with amendments,

Article – Health Occupations

Section ~~12–509(a) and (b)~~ 12–509

Annotated Code of Maryland

(2021 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 15–716

Annotated Code of Maryland

(2017 Replacement Volume and 2021 Supplement)

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

That the Laws of Maryland read as follows:

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.

Article – Health Occupations

12–101.

~~(e–1) (1)~~ ~~“Maintenance injectable medication” means a medication that:~~

~~(i) Is administered by injection other than intravenously; and~~

~~(ii) 1. Treats a chronic need, condition, or disorder; OR~~

1 ~~2. **TREATS A SEXUALLY TRANSMITTED INFECTION AND**~~
 2 ~~**IS NOT A VACCINE.**~~

3 ~~(2) “Maintenance injectable medication” includes a medication for the~~
 4 ~~treatment of a psychiatric disorder or substance use disorder, contraception, and vitamins.~~

5 **(L-1) “INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY**
 6 **TRANSMITTED INFECTION” MEANS A MEDICATION THAT:**

7 **(1) IS ADMINISTERED BY INJECTION OTHER THAN INTRAVENOUSLY;**

8 **(2) TREATS A SEXUALLY TRANSMITTED INFECTION; AND**

9 **(3) IS NOT A VACCINE.**

10 12-509.

11 (a) In addition to the authority granted to a pharmacist under § 12-508 of this
 12 subtitle, a pharmacist, in accordance with regulations adopted by the Board, may
 13 administer:

14 (1) A self-administered drug to a patient that is prescribed by an
 15 authorized prescriber; and

16 (2) Subject to subsection (b) of this section, a maintenance injectable
 17 medication **OR AN INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY**
 18 **TRANSMITTED INFECTION** that is not a biological product to a patient:

19 (i) That is prescribed by an authorized prescriber;

20 (ii) In accordance with a standing order issued by an authorized
 21 public health official; or

22 (iii) In accordance with a protocol under Subtitle 6A of this title.

23 (b) A pharmacist may not administer an initial dose of a maintenance injectable
 24 medication product **OR AN INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY**
 25 **TRANSMITTED INFECTION** under subsection (a)(2) of this section unless the pharmacist
 26 receives written approval from the prescriber.

27 (c) (1) On or before September 1, 2021, the Board, in consultation with the
 28 State Board of Physicians and the State Board of Nursing, shall adopt regulations
 29 establishing standard procedures:

1 (i) For notifying a patient about payment for services before the
2 pharmacist administers a maintenance injectable medication OR AN INJECTABLE
3 MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED INFECTION;

4 (ii) That a pharmacist must use to administer [a]:

5 1. A maintenance injectable medication after an initial dose
6 is administered by the prescriber; OR

7 2. AN INJECTABLE MEDICATION FOR TREATMENT OF A
8 SEXUALLY TRANSMITTED INFECTION;

9 (iii) That a pharmacist must use to administer an initial dose of a
10 maintenance injectable medication OR AN INJECTABLE MEDICATION FOR TREATMENT
11 OF A SEXUALLY TRANSMITTED INFECTION if the administration of the initial dose is
12 authorized under subsection (b) of this section; and

13 (iv) For communicating to the prescriber whether a medication was
14 administered to a specific patient and relevant information about the patient's condition.

15 (2) The regulations shall require a pharmacist to:

16 (i) Except as provided in paragraph (3) of this subsection, complete
17 a training program approved by the Board for:

18 1. Administering maintenance injectable medications AND
19 INJECTABLE MEDICATIONS FOR TREATMENT OF A SEXUALLY TRANSMITTED
20 INFECTION; and

21 2. Managing the populations the pharmacist serves, the
22 medications being administered, and the current guidelines relating to these populations
23 and medications;

24 (ii) Follow the standard procedures established by the Board; and

25 (iii) After administering a maintenance injectable medication OR AN
26 INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY TRANSMITTED
27 INFECTION:

28 1. Notify the prescriber that the maintenance injectable
29 medication OR INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY
30 TRANSMITTED INFECTION was administered and of any relevant details about the
31 patient's condition;

1 2. Provide the patient with a written record of the
2 maintenance injectable medication OR INJECTABLE MEDICATION FOR TREATMENT OF
3 A SEXUALLY TRANSMITTED INFECTION administered;

4 3. Record in any electronic or written health record on the
5 patient maintained by the pharmacist;

6 A. The administering of the maintenance injectable
7 medication OR INJECTABLE MEDICATION FOR TREATMENT OF A SEXUALLY
8 TRANSMITTED INFECTION; and

9 B. Any pertinent details about the patient's condition; and

10 4. Notify the patient of the need to attend any upcoming
11 appointments the patient has scheduled with the prescriber.

12 (3) The regulations shall waive the requirement to complete a training
13 program for a pharmacist who already has undergone the training as part of the
14 pharmacist's formal educational program.

15 Article – Insurance

16 15–716.

17 (a) This section applies to individual, group, or blanket health insurance policies
18 and contracts delivered or issued for delivery in the State by insurers, nonprofit health
19 service plans, and health maintenance organizations that provide coverage for patient
20 assessment regarding, and administration of, self-administered medications [and],
21 maintenance injectable medications, AND INJECTABLE MEDICATIONS FOR TREATMENT
22 OF SEXUALLY TRANSMITTED INFECTIONS.

23 (b) An entity subject to this section shall provide coverage for services rendered
24 by a licensed pharmacist under § 12–509 of the Health Occupations Article to an individual
25 who is covered under a policy or contract issued or delivered by the entity, to the same
26 extent as services rendered by any other licensed health care practitioner, for patient
27 assessment regarding and in administering self-administered medications [or],
28 maintenance injectable medications, OR INJECTABLE MEDICATIONS FOR TREATMENT
29 OF SEXUALLY TRANSMITTED INFECTIONS.

30 SECTION 2. AND BE IT FURTHER ENACTED, That, to the extent determined
31 appropriate by the State Board of Pharmacy, the regulations adopted by the State Board of
32 Pharmacy, in consultation with the State Board of Physicians and the State Board of
33 Nursing, under § 12–509 of the Health Occupations Article, as enacted by Chapters 757
34 and 758 of the Acts of 2021, for the administration of maintenance injectable medications
35 by a pharmacist shall be the same regulations for the administration of injectable

1 medications for treatment of sexually transmitted infections by a pharmacist adopted in
2 accordance with § 12-509 of the Health Occupations Article, as enacted by this Act.

3 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.