

SENATE BILL 661

J2, J5

2lr2074

By: **Senators Benson, Beidle, and Smith**
Introduced and read first time: February 4, 2022
Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Reimbursement of Pharmacist for Services Rendered**

3 FOR the purpose of altering certain definitions of “health care provider” to include
4 pharmacists for the purposes of provisions of law related to health care malpractice
5 claims, destruction of medical records, and HIV testing; requiring certain insurers,
6 nonprofit health service plans, and health maintenance organizations to provide
7 reimbursement for certain health care services provided by a pharmacist at the same
8 rate as the same services provided by a physician, physician’s assistant, or nurse
9 practitioner; and generally relating to pharmacists.

10 BY repealing and reenacting, without amendments,
11 Article – Courts and Judicial Proceedings
12 Section 3–2A–01(a)
13 Annotated Code of Maryland
14 (2020 Replacement Volume and 2021 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Courts and Judicial Proceedings
17 Section 3–2A–01(f)(1)
18 Annotated Code of Maryland
19 (2020 Replacement Volume and 2021 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Health – General
22 Section 4–403(a)(1)(xix) and (xx), 18–336(a)(3), 18–337(a), and 18–338.2(a)(3)
23 Annotated Code of Maryland
24 (2019 Replacement Volume and 2021 Supplement)

25 BY adding to
26 Article – Health – General
27 Section 4–403(a)(1)(xxi)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2019 Replacement Volume and 2021 Supplement)

3 BY repealing and reenacting, without amendments,
4 Article – Health – General
5 Section 18–336(a)(1) and 18–338.2(a)(1)
6 Annotated Code of Maryland
7 (2019 Replacement Volume and 2021 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – Insurance
10 Section 15–716
11 Annotated Code of Maryland
12 (2017 Replacement Volume and 2021 Supplement)

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

15 **Article – Courts and Judicial Proceedings**

16 3–2A–01.

17 (a) In this subtitle the following terms have the meanings indicated unless the
18 context of their use requires otherwise.

19 (f) (1) “Health care provider” means a hospital, a related institution as defined
20 in § 19–301 of the Health – General Article, a medical day care center, a hospice care
21 program, an assisted living program, a freestanding ambulatory care facility as defined in
22 § 19–3B–01 of the Health – General Article, a physician, an osteopath, an optometrist, a
23 chiropractor, a registered or licensed practical nurse, a dentist, a podiatrist, a psychologist,
24 a licensed certified social worker–clinical, [and] a physical therapist, **AND A PHARMACIST**,
25 licensed or authorized to provide one or more health care services in Maryland.

26 **Article – Health – General**

27 4–403.

28 (a) (1) In this section, a “health care provider” means:

29 (xix) A social worker; [and]

30 (xx) A speech–language pathologist; **AND**

31 **(XXI) A PHARMACIST.**

32 18–336.

1 (a) (1) In this section the following words have the meanings indicated.

2 (3) “Health care provider” means a physician, nurse, **PHARMACIST**, or
3 designee of a health care facility.

4 18–337.

5 (a) In this section, “health care provider” means a physician, a physician’s
6 designee, **A PHARMACIST**, or a designee of a health care facility licensed or otherwise
7 authorized to provide health care services.

8 18–338.2.

9 (a) (1) In this section the following words have the meanings indicated.

10 (3) “Health care provider” means a physician, nurse, licensed direct–entry
11 midwife, **PHARMACIST**, or designee of a health care facility.

12 **Article – Insurance**

13 15–716.

14 (a) This section applies to individual, group, or blanket health insurance policies
15 and contracts delivered or issued for delivery in the State by insurers, nonprofit health
16 service plans, and health maintenance organizations [that provide coverage for patient
17 assessment regarding, and administration of, self–administered medications and
18 maintenance injectable medications].

19 (b) An entity subject to this section shall provide coverage for services rendered
20 by a licensed pharmacist [under § 12–509 of the Health Occupations Article] to an
21 individual who is covered under a policy or contract issued or delivered by the entity, to the
22 same extent as **COVERAGE IS PROVIDED UNDER THE POLICY OR CONTRACT FOR THE**
23 **SAME** services rendered by [any other licensed health care practitioner, for patient
24 assessment regarding and in administering self–administered medications or maintenance
25 injectable medications] **A PHYSICIAN, PHYSICIAN ASSISTANT, OR CERTIFIED NURSE**
26 **PRACTITIONER, IF THE SERVICES ARE:**

27 **(1) WITHIN THE SCOPE OF PRACTICE OF THE PHARMACIST; AND**

28 **(2) RENDERED BY THE PHARMACIST IN COMPLIANCE WITH THE LAWS**
29 **AND REGULATIONS RELATING TO THE PHARMACIST’S LICENSE.**

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