

SENATE BILL 845

J2

11r2401

By: **Senator Dyson**

Introduced and read first time: February 14, 2011

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Pharmacists – Administration of Vaccinations,**
3 **Epinephrine, and Diphenhydramine**

4 FOR the purpose of authorizing pharmacists to administer certain vaccinations and,
5 under certain circumstances, epinephrine and diphenhydramine to certain
6 individuals in accordance with certain regulations if certain requirements are
7 met; requiring the State Board of Pharmacy to set certain fees; and generally
8 relating to the administration of vaccinations, epinephrine, and
9 diphenhydramine by pharmacists.

10 BY repealing and reenacting, with amendments,
11 Article – Health Occupations
12 Section 12–508
13 Annotated Code of Maryland
14 (2009 Replacement Volume and 2010 Supplement)

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

17 **Article – Health Occupations**

18 12–508.

19 (a) [(1) A] **WITHOUT A PRESCRIPTION FROM A PHYSICIAN, A**
20 **pharmacist may administer [an influenza] A vaccination to an individual, AND IN THE**
21 **EVENT OF A SYSTEMIC REACTION TO THE VACCINATION BY THE INDIVIDUAL,**
22 **EPINEPHRINE AND DIPHENHYDRAMINE,** in accordance with regulations adopted
23 under subsection (c) of this section[.

24 (2) A pharmacist may administer a vaccination for pneumococcal
25 pneumonia or herpes zoster, or any vaccination that has been determined by the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Board, with the agreement of the Board of Physicians and the Board of Nursing to be
2 in the best health interests of the community, to an individual], if:

3 [(i)] (1) The individual is [an adult] **AT LEAST 7 YEARS OLD**;

4 [(ii)] The individual has a prescription from a physician;

5 (iii) The pharmacist informs the prescribing physician that the
6 vaccination has been administered;]

7 [(iv)] (2) [If the prescribing physician is not the patient's
8 primary care physician, the] **THE** pharmacist has made a reasonable effort to inform
9 the patient's primary care physician that the vaccination has been administered; [and

10 (v)] (3) The vaccination [is], **EPINEPHRINE, AND**
11 **DIPHENHYDRAMINE ARE** administered in accordance with regulations adopted
12 under subsection (c) of this section;

13 (4) **THE PHARMACIST MEETS THE QUALIFICATIONS AND**
14 **STANDARDS SPECIFIED IN REGULATIONS ADOPTED UNDER SUBSECTION (C) OF**
15 **THIS SECTION; AND**

16 (5) **THE VACCINATION IS:**

17 (I) **LISTED IN THE CENTERS FOR DISEASE CONTROL AND**
18 **PREVENTION RECOMMENDED IMMUNIZATION SCHEDULE; OR**

19 (II) **RECOMMENDED IN THE CENTERS FOR DISEASE**
20 **CONTROL AND PREVENTION HEALTH INFORMATION FOR INTERNATIONAL**
21 **TRAVEL.**

22 (b) The Board shall set reasonable fees for the administration of
23 vaccinations, **EPINEPHRINE, AND DIPHENHYDRAMINE** in accordance with
24 subsection (a) of this section.

25 (c) (1) The Board, the Board of Physicians, and the Board of Nursing
26 shall meet at least annually to jointly develop, adopt, and review regulations to
27 provide for patient safety and to implement this section.

28 (2) The regulations adopted under paragraph (1) of this subsection
29 shall require a pharmacist to submit a registration form to the Board that includes
30 verification that the pharmacist:

31 (i) Has successfully completed a certification course approved
32 by the Board that included instruction in the guidelines and recommendations of the
33 Centers for Disease Control and Prevention regarding vaccinations; and

1 (ii) Is certified in basic cardiopulmonary resuscitation and
2 obtained the certification through in-person classroom instruction.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2011.