

SENATE BILL 845

J2

(11r2401)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Health and Government Operations* —

Introduced by **Senator Dyson**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

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

4 FOR the purpose of ~~authorizing pharmacists to~~ altering the age of an individual to
5 whom a pharmacist may administer a certain vaccinations and, under certain
6 ~~circumstances, epinephrine and diphenhydramine to certain individuals in~~
7 ~~accordance with certain regulations if certain requirements are met; requiring~~
8 ~~the State Board of Pharmacy to set certain fees~~ vaccination; requiring a
9 pharmacist to report a certain vaccination to a certain registry; altering
10 requirements for regulations relating to certain vaccinations; and generally
11 relating to the administration of vaccinations, ~~epinephrine, and~~
12 ~~diphenhydramine~~ by pharmacists to children.

13 BY repealing and reenacting, with amendments,

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.

Italics indicate opposite chamber/conference committee amendments.



1 Article – Health Occupations
 2 Section 12–508
 3 Annotated Code of Maryland
 4 (2009 Replacement Volume and 2010 Supplement)

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

7 **Article – Health Occupations**

8 12–508.

9 (a) ~~[(1) A] WITHOUT A PRESCRIPTION FROM A PHYSICIAN, A~~
 10 pharmacist may administer ~~[an influenza] A~~ vaccination to an individual, ~~AND IN THE~~
 11 ~~EVENT OF A SYSTEMIC REACTION TO THE VACCINATION BY THE INDIVIDUAL,~~
 12 ~~EPINEPHRINE AND DIPHENHYDRAMINE WHO IS AT LEAST 7 9 YEARS OLD,~~ in
 13 accordance with regulations adopted ~~under subsection (c) of this section~~ BY THE
 14 BOARD, IN CONSULTATION WITH THE DEPARTMENT.

15 (2) A pharmacist may administer a vaccination for pneumococcal
 16 pneumonia or herpes zoster, or any vaccination that has been determined by the
 17 Board, with the agreement of the Board of Physicians and the Board of Nursing to be
 18 in the best health interests of the community, to an individual~~],~~ if:

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

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

21 ~~[(iii)]~~ The pharmacist informs the prescribing physician that the
 22 vaccination has been administered;~~]~~

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

26 ~~[(v)] (3)~~ The vaccination ~~[is], EPINEPHRINE, AND~~
 27 ~~DIPHENHYDRAMINE ARE~~ administered in accordance with regulations adopted
 28 under subsection ~~(c)~~ (C)(1) of this section~~;~~.

29 ~~(4) THE PHARMACIST MEETS THE QUALIFICATIONS AND~~
 30 ~~STANDARDS SPECIFIED IN REGULATIONS ADOPTED UNDER SUBSECTION (C) OF~~
 31 ~~THIS SECTION; AND~~

32 ~~(5) THE VACCINATION IS:~~

1 ~~(I) LISTED IN THE CENTERS FOR DISEASE CONTROL AND~~
 2 ~~PREVENTION RECOMMENDED IMMUNIZATION SCHEDULE; OR~~

3 ~~(II) RECOMMENDED IN THE CENTERS FOR DISEASE~~
 4 ~~CONTROL AND PREVENTION HEALTH INFORMATION FOR INTERNATIONAL~~
 5 ~~TRAVEL.~~

6 **(3) A PHARMACIST SHALL REPORT TO THE MARYLAND**
 7 **IMMUNIZATION REGISTRY AN INFLUENZA VACCINATION ADMINISTERED BY THE**
 8 **PHARMACIST TO AN INDIVIDUAL 7 INDIVIDUALS WHO ARE FROM 9 TO 18 YEARS**
 9 **OF AGE.**

10 (b) The Board shall set reasonable fees for the administration of
 11 vaccinations, ~~EPINEPHRINE, AND DIPHENHYDRAMINE~~ in accordance with
 12 subsection (a) of this section.

13 (c) (1) The Board, the Board of Physicians, and the Board of Nursing
 14 shall meet at least annually to jointly develop, adopt, and review regulations to
 15 provide for patient safety and to implement **SUBSECTION (A)(2) OF** this section.

16 (2) The regulations adopted under **SUBSECTION (A)(1) OF THIS**
 17 **SECTION AND** paragraph (1) of this subsection shall require a pharmacist to submit a
 18 registration form to the Board that includes verification that the pharmacist:

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.