

Notice for Pharmacists Licensed by the Maryland Board of Pharmacy (Board), Pharmacy Technicians Registered with the Board, and Pharmacy Interns Registered with the Board Regarding Childhood Vaccination Administration, COVID-19 Vaccination Administration, and COVID-19 Testing

Effective July 1, 2021, Governor Hogan terminated the COVID-19 State of Emergency in Maryland. On August 15, 2021, the Executive Order that allows pharmacists, pharmacy technicians, and pharmacy interns to engage in an expanded scope of practice for COVID-19 vaccinations will terminate.

Despite the termination of the Maryland State of Emergency, the federal state of emergency continues. Effective February 4, 2020, the Secretary of the United States Department of Health and Human Services (HHS) issued a Declaration for Public Readiness and Emergency Preparedness (PREP) Act Coverage for medical countermeasures against COVID-19 (Declaration). The Declaration and subsequent amendments allow a pharmacist, pharmacy technician, and pharmacy intern to engage in certain expanded duties related to the administration of certain childhood vaccines, COVID-19 vaccines, and COVID-19 testing. The authorization preempts any state law that prohibits a pharmacist, pharmacy technician, or a pharmacy intern from engaging in the designated expanded practice duties. The authorization is currently effective and extends through the final day that the Declaration is in effect or October 1, 2024, whichever occurs first. (Please also note that new Maryland law, Chapter 793, amended Health Occ. 12-508, effective July 1, 2021, allows pharmacists to order and administer certain childhood vaccines to children ages 3 and older in accordance with certain requirements that generally mirror the federal HHS requirements.)

The Board does not enforce provisions of the PREP Act and cannot provide legal advice regarding continued practice pursuant to the PREP Act. This notice provides information only. If you have further questions or concerns, please consult a legal professional.

A non-comprehensive list of eligibility requirements is included below. Please reference the HHS Public Health Emergency website at <https://www.phe.gov/Preparedness/legal/prepact/Pages/default.aspx> for a list of HHS PREP Act Declarations, guidance, and opinion documents. Consult a legal professional if you have questions regarding eligibility.

Childhood Vaccination Administration

HHS, Office of the Assistant Secretary for Health (OASH) has authorized *qualified pharmacists to order and administer*, and *qualified pharmacy technicians* and *state-authorized pharmacy interns* to *administer a childhood vaccination* that the Advisory Committee on Immunization Practices (ACIP) recommends to persons age three through seventeen.

- A qualified pharmacist must order and administer a vaccine approved or authorized the United States Food and Drug Administration (FDA).
- A qualified pharmacist must complete a practical training program of at least 20 hours that is approved by the Accreditation Council for Pharmacy Education (ACPE). The

training program must include hands-on injection technique, clinical evaluation of indications and contraindications, and the recognition and treatment of emergency reactions to vaccines.

- A qualified pharmacist must complete a minimum of two hours of ACPE-approved, immunization-related continuing pharmacy education during the licensing period.
- A qualified pharmacist must comply with recordkeeping and reporting requirements of Maryland, including informing the patient's primary-care provider when available, submitting the required immunization information to the State or local immunization information system (vaccine registry), complying with requirements with respect to reporting adverse events, and complying with requirements whereby the person administering a vaccine must review the vaccine registry or other vaccination records prior to administering a vaccine.
- A qualified pharmacist must inform his or her childhood-vaccination patients and the adult caregiver accompanying the child of the importance of a well-child visit with a pediatrician or other licensed primary care provider and refer patients as appropriate.
- A qualified pharmacy technician must complete a minimum of two hours of ACPE-approved, immunization-related continuing pharmacy education during the registration period.
- A qualified pharmacy technician and state-authorized pharmacy intern must act under the supervision of a pharmacist licensed by the Maryland Board of Pharmacy (Board) and be registered with the Board.
- A qualified pharmacy technician and state-authorized pharmacy intern must complete a practical training program that is approved by ACPE. The training program must include hands-on injection technique and the recognition and treatment of emergency reactions to vaccines.
- A qualified pharmacist, qualified pharmacy technician, and state-authorized pharmacy intern must have a current certificate in basic cardiopulmonary resuscitation (CPR).

COVID-19 Vaccination Administration

HHS, OASH has authorized *qualified pharmacists to order and administer*, and *qualified pharmacy technicians* and *state-authorized pharmacy interns* to *administer a COVID-19 vaccination* that the FDA authorizes.

- A qualified pharmacist must order and administer a FDA-authorized or FDA-licensed vaccine according to the ACIP's COVID-19 vaccine recommendation.
- A qualified pharmacist must complete a practical training program of at least 20 hours that is approved by the ACPE. The training program must include hands-on injection technique, clinical evaluation of indications and contraindications, and the recognition and treatment of emergency reactions to vaccines.
- The qualified pharmacist must inform his or her childhood-vaccination patients and the adult caregiver accompanying the child of the importance of a well-child visit with a pediatrician or other licensed primary care provider and refer patients as appropriate.
- A qualified pharmacy technician must complete a minimum of two hours of ACPE-approved, immunization-related continuing pharmacy education during the registration period.

- A qualified pharmacy technician and state-authorized pharmacy intern must act under the supervision of a pharmacist licensed by the Board and be registered with the Board.
- A qualified pharmacy technician and a state-authorized pharmacy intern must complete a practical training program that is approved by the ACPE. The training program must include hands-on injection technique and the recognition and treatment of emergency reactions to vaccines.
- A qualified pharmacy technician and state-authorized pharmacy intern must have a current certificate in basic CPR.
- A qualified pharmacist, qualified pharmacy technician, and state-authorized pharmacy intern must comply with applicable requirements set forth in the Centers for Disease Control and Prevention COVID-19 vaccination provider agreement and any other federal requirements.

COVID-19 Testing

HHS, OASH has authorized *licensed pharmacists, registered pharmacy technicians, and registered pharmacy interns* to *administer a COVID-19 test*, including a serology test, that the FDA has approved, cleared, or authorized.

Additional Resources

1. Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19, 85 Fed. Reg. 15, 198 (Mar. 17, 2020); 85 Fed. Reg. 21, 012 (Apr. 15, 2020); 85 Fed. Reg. 35, 100 (June 8, 2020); 85 Fed. Reg. 52, 136 (Aug. 24, 2020).
2. *Guidance for Pharmacists and Pharmacy Technicians in Community Pharmacies during the COVID-19 Response*, CDC, <https://www.cdc.gov/coronavirus/2019-ncov/hcp/pharmacies.html> (last updated Nov. 13, 2020).
3. *Guidance for Licensed Pharmacists, COVID-19 Testing, and Immunity Under the PREP Act*, HHS, <https://www.hhs.gov/guidance/sites/default/files/hhs-guidance-documents/authORIZING-licensed-pharmacists-to-order-and-administer-covid-19-tests.pdf> (accessed July 14, 2021).
4. *Guidance for Licensed Pharmacists and Pharmacy Interns Regarding COVID-19 Vaccines and Immunity Under the PREP Act*, HHS, [licensed-pharmacists-and-pharmacy-interns-regarding-covid-19-vaccines-immunity \(1\).pdf](https://www.hhs.gov/guidance/sites/default/files/hhs-guidance-documents/licensed-pharmacists-and-pharmacy-interns-regarding-covid-19-vaccines-immunity%20(1).pdf) (accessed July 14, 2021).
5. *Guidance for Licensed Pharmacists and Pharmacy Interns Regarding COVID-19 Vaccines and Immunity Under the PREP Act*, HHS, <https://www.hhs.gov/guidance/sites/default/files/hhs-guidance-documents/licensed-pharmacists-and-pharmacy-interns-regarding-covid-19-vaccines-immunity.pdf> (accessed July 19, 2021).
6. *Guidance for PREP ACT Coverage for Qualified Pharmacy Technicians and State - Authorized Pharmacy Interns for Childhood Vaccines, COVID- 19 Vaccines, and COVID- 19 Testing*, HHS, <https://www.hhs.gov/sites/default/files/prep-act-guidance.pdf> (accessed July 14, 2021).

7. Advisory Opinion 20-02 on the Public Readiness and Emergency Preparedness Act and the Secretary's Declaration Under the Act, available at <https://www.hhs.gov/sites/default/files/advisoryopinion-20-02-hhs-ogc-prep-act.pdf> (accessed July 14, 2021).
8. Office of Governor Larry Hogan and Lieutenant Governor Boyd Rutherford, Amending and Restating the Order of March 16, 2020, Relating to Various Health Care Matters, March 9, 2021, <https://governor.maryland.gov/wp-content/uploads/2021/03/Health-Care-Matters-AMENDED-3.09.21.pdf>; Office of Secretary Dennis R. Schrader, Amended Directive and Order Regarding Vaccination Matters, January 1, 2021, <https://health.maryland.gov/bopc/Documents/amenorder1121.pdf>.
9. Md. Code Ann., Health Occ., §§ 12-508, 12-6B-06, 12-6D-08.