



**DIRECTIVE AND ORDER REGARDING
RESPIRATORY SYNCYTIAL VIRUS (RSV) VACCINE**

Pursuant to Health General Article §§ 18-102, 18-103, 18-109, COMAR 10.06.01.06

No. MDH 2023-09-06

WHEREAS, the RSV infection causes substantial morbidity and mortality in Maryland, including over 1,500 hospitalizations, 350 ICU admissions, and more than 30 deaths per year, mostly among infants and older adults;

WHEREAS, the United States Federal Drug Administration (“FDA”) has recently approved an RSV vaccine that can prevent RSV infections;

WHEREAS, the Centers for Disease Control (“CDC”) and Prevention’s Advisory Committee on Immunization Practices (“ACIP”) has identified and recommended the RSV vaccination for certain categories of adults;

WHEREAS, the RSV vaccines are currently available for use in these designated populations;

WHEREAS, although the RSV vaccine has been recommended by the ACIP for adults 60 years of age and older, and adopted by the CDC as its official guidance, the RSV vaccine has not yet been added to the CDC “Recommended Immunization Schedule,” as it is only updated annually;

WHEREAS, it is necessary to authorize the vaccinations of the CDC recommended categories now, as the peak of RSV activity is expected in the fall, months before the anticipated revision of the “Recommended Immunization Schedule”.

I, Laura Herrera Scott, Secretary of Health, finding that it is necessary for the prevention and control of Respiratory Syncytial Virus (“RSV”) infection to protect the health and safety of the citizens of Maryland, hereby authorize and order the following actions for the prevention and control of the spread of this infectious and contagious disease that endangers public health in this State:

1. **Requirements of Pharmacist Administration of Vaccine**
 - a. Notwithstanding the limitation under Health Occ. Sec. 12-508 that pharmacists may only administer vaccinations listed in the CDC Recommended Immunization Schedule, a licensed Pharmacist may administer an FDA-approved RSV vaccination to adults 60 years of age or older, in accordance with CDC guidance.
 - b. A Pharmacist shall administer an RSV vaccination under a written protocol, in compliance with COMAR 10.34.32.07.

- c. A pharmacist shall report all RSV vaccinations administered by the pharmacist to the ImmuNet Program, pursuant to Health-General §18-109.
- d. A pharmacist that administers an RSV vaccination under this Order shall abide by all other laws and regulations relating to pharmacist administration of vaccinations.

2. **Termination:**

This Directive and Order shall cease to have effect and be rescinded upon updating of the CDC Recommended Vaccination Schedule.

3. **Severability:** If any provision of this Directive and Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of this Directive and Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Directive and Order are severable.

THESE DIRECTIVES AND ORDERS ARE ISSUED UNDER MY HAND THIS 6TH DAY OF SEPTEMBER 2023 AND ARE EFFECTIVE IMMEDIATELY.



Laura Herrera Scott, MD, MPH
Secretary
Maryland Department of Health