

## **EMERGENCY**

**EFFECTIVE DATE: January 4, 2022 to July 3, 2022**

# **Title 10 MARYLAND DEPARTMENT OF HEALTH**

## **Subtitle 34 BOARD OF PHARMACY**

### **Notice of Emergency Action**

The Joint Committee on Administrative, Executive, and Legislative Review has granted emergency status to amendments to:

- (1) Regulation .04 under COMAR 10.34.13 Reinstatement of Expired Licenses for Pharmacists; and
- (2) Regulation .01 under COMAR 10.34.15 Licensure by Reciprocity.

### **Statement of Purpose**

The purpose of this emergency action is to permit flexibilities for the State's overall COVID-19 response and ensure that hospitals in the State are able to maintain health care provider staffing capacity due to any potential surge through Winter 2022.

The broad purpose of these emergency regulatory proposals (3, one for each of the Board of Physicians, Board of Pharmacy, and Board of Nursing) is to implement the following:

- (1) Permit the temporary licensure of recently retired licensees; and
- (2) Simplify or eliminate the administrative burdens for interstate compact or out-of-state healthcare practitioners to practice in Maryland licensed healthcare facilities.

These items were communicated via a press release from the Governor on December 10, 2021 (Link: <https://governor.maryland.gov/2021/12/10/governor-hogan-announces-additional-actions-to-address-rise-in-covid-19-hospitalizations/>), and a letter from the Secretary of Health (Link: <https://health.maryland.gov/phpa/Documents/2021.12.10.02%20-%20Letter%20to%20Physicians%20Nursing%20Pharmacists.pdf>) to the three health occupation boards in question.

### **Comparison to Federal Standards**

There is no corresponding federal standard to this emergency action.

### **Estimate of Economic Impact**

The emergency action has no economic impact.

## Economic Impact on Small Businesses

The emergency action has minimal or no economic impact on small businesses.

### 10.34.13 Reinstatement of Expired Licenses for Pharmacists

Authority: Health Occupations Article, §12-310, Annotated Code of Maryland

#### **.04 Waiver.**

A. The Board may waive any of the requirements set forth in Regulation .03 of this chapter in reinstating a pharmacist's expired license.

B. *Temporary Waiver for Expired Licensees.*

(1) *The Board may waive the continuing education requirements for an applicant who:*

(a) *Holds a license that expires between January 1, 2021 and June 30, 2022;*

(b) *Was in good standing with the Board at the time of the expiration; and*

(c) *Is providing pharmaceutical services at a physical location in the State.*

(2) *The provisions of §B(1) of this regulation shall be effective January 1, 2022 and shall be abrogated with no further action 180 days from now on June 30, 2022, or the end of the federal COVID-19 Public Health Emergency, whichever comes first.*

### 10.34.15 Licensure by Reciprocity

Authority: Health Occupations Article, §§12-205 and 12-305, Annotated Code of Maryland

#### **.01 Requirements.**

A. (text unchanged)

B. *Temporary Waiver.*

(1) *The Board may waive the requirements of §A(3)—(5) of this regulation for an applicant for licensure by reciprocity who is providing pharmaceutical services at a physical location in the State.*

(2) *The Board's authority to grant a waiver under §B(1) of this regulation shall be effective January 1, 2022 and shall be abrogated with no further action 180 days from now on June 30, 2022, or the end of the federal COVID-19 Public Health Emergency, whichever comes first.*

[B.] C. (text unchanged)

**DENNIS R. SCHRADER**

**Secretary of Health**