

HOUSE BILL 1115

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2000 Regular Session  
0lr2562

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By: **Delegate Dypski**  
Introduced and read first time: February 11, 2000  
Assigned to: Environmental Matters

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 21, 2000

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CHAPTER 169

1 AN ACT concerning

2 **Pharmacies - Record Logs**

3 FOR the purpose of authorizing a pharmacy to maintain record logs of prescriptions  
4 requested to be filled or refilled by a patient; requiring a pharmacy to keep a  
5 patient's Social Security number confidential; prohibiting a pharmacy from  
6 listing ~~a patient's Social Security number on~~ certain information in certain  
7 record logs; and generally relating to record logs of pharmacies.

8 BY repealing and reenacting, with amendments,  
9 Article - Health Occupations  
10 Section 12-403(b)(16) and (17)  
11 Annotated Code of Maryland  
12 (1994 Replacement Volume and 1999 Supplement)

13 BY adding to  
14 Article - Health Occupations  
15 Section 12-403(b)(18)  
16 Annotated Code of Maryland  
17 (1994 Replacement Volume and 1999 Supplement)

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

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**Article - Health Occupations**

2 12-403.

3 (b) Except as otherwise provided in this section, a pharmacy for which a  
4 pharmacy permit has been issued under this title:

5 (16) Shall provide such personnel, automation, and technology as are  
6 necessary to allow the licensed pharmacist employee to comply with the labeling  
7 requirements specified in § 12-505; [and]

8 (17) With regard to a prescription drug that is delivered in this State by  
9 the United States mail, a common carrier, or a delivery service and is not personally  
10 hand delivered directly to a patient or to the agent of the patient at the residence of  
11 the patient or at another location designated by the patient, shall:

12 (i) Provide a general written notice in each shipment of a  
13 prescription drug that alerts a consumer that, under certain circumstances, a  
14 medication's effectiveness may be affected by exposure to extremes of heat, cold, or  
15 humidity; and

16 (ii) Provide a specific written notice in each shipment of a  
17 prescription drug that provides a consumer with a toll-free or local consumer access  
18 telephone number accessible during regular hours of operation, which is designed to  
19 respond to consumer questions pertaining to medications; AND

20 (18) (I) ~~THE PHARMACY~~ MAY MAINTAIN A RECORD LOG OF ANY  
21 PRESCRIPTION THAT IS REQUESTED TO BE FILLED OR REFILLED BY A ~~PATIENT.~~  
22 PATIENT IN ACCORDANCE WITH THE PROVISIONS OF TITLE 4, SUBTITLE 3 OF THE  
23 HEALTH - GENERAL ARTICLE;

24 (II) IF THE PRESCRIPTION RECORD OF A PATIENT INCLUDES THE  
25 PATIENT'S SOCIAL SECURITY NUMBER, ~~THE PHARMACY~~ SHALL KEEP THE SOCIAL  
26 SECURITY NUMBER CONFIDENTIAL; ;

27 (III) MAY NOT LIST IN THE RECORD LOG THE TYPE OF ILLNESS,  
28 DISABILITY, OR CONDITION THAT IS THE BASIS OF ANY DISPENSING OR  
29 DISTRIBUTION OF A DRUG BY A PHARMACIST; AND

30 (III) (IV) ~~THE PHARMACY~~ MAY NOT LIST A PATIENT'S SOCIAL  
31 SECURITY NUMBER ~~ON,~~ ILLNESS, DISABILITY, OR CONDITION, OR THE NAME AND  
32 TYPE OF DRUG RECEIVED IN THE RECORD LOG IF THE LOG IS AVAILABLE TO OTHER  
33 PHARMACY CUSTOMERS.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
35 October 1, 2000.

