

HOUSE BILL 141

J2

(71r0500)

ENROLLED BILL

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

Introduced by **Delegate Elliott**

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.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **State Board of Pharmacy – Sending Renewal Notices by Electronic Means**

3 FOR the purpose of ~~authorizing~~ requiring the State Board of Pharmacy, on request, to
4 send renewal notices by electronic means to licensed pharmacists, pharmacy
5 and distribution permit holders, and registered pharmacy technicians; requiring
6 that renewal notices sent by electronic means be sent a certain number of times
7 within a certain period of time and to a certain electronic address; requiring the
8 Board to send a renewal notice by first-class mail if a renewal notice sent by
9 electronic means is returned as undeliverable; making stylistic and clarifying
10 changes; and generally relating to the State Board of Pharmacy sending
11 renewal notices by electronic means.

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 BY repealing and reenacting, with amendments,
 2 Article – Health Occupations
 3 Section 12–308(b), 12–407(b), 12–602(j)(2), and 12–6B–07(b)
 4 Annotated Code of Maryland
 5 (2005 Replacement Volume and 2006 Supplement)

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

8 **Article – Health Occupations**

9 12–308.

10 (b) ~~At least 1 month before the license expires, the Board shall send to the~~
 11 ~~licensee, by first class mail OR ELECTRONIC MEANS to the last known address of the~~
 12 ~~licensee, a renewal notice that states:~~

13 (1) **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
 14 **THE BOARD SHALL SEND TO EACH LICENSEE, AT LEAST 1 MONTH BEFORE A**
 15 **LICENSE EXPIRES, A RENEWAL NOTICE BY FIRST-CLASS MAIL TO THE LAST**
 16 **KNOWN ADDRESS OF THE LICENSEE.**

17 (2) **IF REQUESTED BY A LICENSEE, THE BOARD SHALL SEND TO**
 18 **THE LICENSEE, AT LEAST TWO TIMES WITHIN THE MONTH BEFORE A LICENSE**
 19 **EXPIRES, A RENEWAL NOTICE BY ELECTRONIC MEANS TO THE LAST KNOWN**
 20 **ELECTRONIC ADDRESS OF THE LICENSEE.**

21 (3) **IF A RENEWAL NOTICE SENT BY ELECTRONIC MEANS UNDER**
 22 **PARAGRAPH (2) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS**
 23 **UNDELIVERABLE, THE BOARD SHALL SEND TO THE LICENSEE A RENEWAL**
 24 **NOTICE BY FIRST-CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE LICENSEE.**

25 (4) **A RENEWAL NOTICE SENT UNDER THIS SUBSECTION SHALL**
 26 **STATE:**

27 (I) The date on which the current license expires;

28 ~~(2)~~ (II) The date by which the renewal application must be received
 29 by the Board for the renewal to be issued and mailed before the license expires; and

1 ~~(3)~~ **(III)** The amount of the renewal fee.

2 12-407.

3 ~~(b) On or before November 1 of each year, the Board shall send to each~~
 4 ~~pharmacy permit holder, by first class mail OR ELECTRONIC MEANS to the last~~
 5 ~~known address of the PHARMACY PERMIT holder:~~

6 ~~(1) A pharmacy permit renewal application form for each pharmacy~~
 7 ~~permit held; and~~

8 ~~(2) A renewal notice that states~~

9 **(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**
 10 **SUBSECTION, ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE BOARD SHALL**
 11 **SEND TO EACH PHARMACY PERMIT HOLDER A RENEWAL NOTICE AND RENEWAL**
 12 **APPLICATION FORM FOR EACH PHARMACY PERMIT BY FIRST-CLASS MAIL TO**
 13 **THE LAST KNOWN ADDRESS OF THE PHARMACY PERMIT HOLDER.**

14 **(2) IF REQUESTED BY A PHARMACY PERMIT HOLDER, THE BOARD**
 15 **SHALL SEND TO THE PHARMACY PERMIT HOLDER, AT LEAST TWO TIMES WITHIN**
 16 **THE MONTH BEFORE A PHARMACY PERMIT EXPIRES, A RENEWAL NOTICE FOR**
 17 **EACH PHARMACY PERMIT BY ELECTRONIC MEANS TO THE LAST KNOWN**
 18 **ELECTRONIC ADDRESS OF THE PHARMACY PERMIT HOLDER.**

19 **(3) IF A RENEWAL NOTICE SENT BY ELECTRONIC MEANS UNDER**
 20 **PARAGRAPH (2) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS**
 21 **UNDELIVERABLE, THE BOARD SHALL SEND TO THE PHARMACY PERMIT HOLDER**
 22 **A RENEWAL NOTICE FOR EACH PHARMACY PERMIT BY FIRST-CLASS MAIL TO**
 23 **THE LAST KNOWN ADDRESS OF THE PHARMACY PERMIT HOLDER.**

24 **(4) A RENEWAL NOTICE SENT UNDER THIS SUBSECTION SHALL**
 25 **STATE:**

26 (i) The date on which the current pharmacy ~~permits expire~~
 27 **PERMIT EXPIRES;**

28 (ii) The date by which the renewal ~~applications~~ **APPLICATION**
 29 **must be received by the Board for the renewals RENEWAL to be issued and mailed**
 30 **before the pharmacy ~~permits expire~~ PERMIT EXPIRES; and**

(iii) The amount of the renewal fee ~~for each pharmacy permit.~~

12-602.

(j) (2) ~~At least 1 month before a distribution permit expires, the Board shall send to the distribution permit holder, by first class mail OR ELECTRONIC MEANS to the last known address of the distribution permit holder, a renewal notice that contains a statement of:~~

(i) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE BOARD SHALL SEND TO EACH DISTRIBUTION PERMIT HOLDER, AT LEAST 1 MONTH BEFORE THE DISTRIBUTION PERMIT EXPIRES, A RENEWAL NOTICE BY FIRST-CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE DISTRIBUTION PERMIT HOLDER.

(ii) IF REQUESTED BY A DISTRIBUTION PERMIT HOLDER, THE BOARD SHALL SEND TO THE DISTRIBUTION PERMIT HOLDER, AT LEAST TWO TIMES WITHIN THE MONTH BEFORE A DISTRIBUTION PERMIT EXPIRES, A RENEWAL NOTICE BY ELECTRONIC MEANS TO THE LAST KNOWN ELECTRONIC ADDRESS OF THE DISTRIBUTION PERMIT HOLDER.

(iii) IF A RENEWAL NOTICE SENT BY ELECTRONIC MEANS UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IS RETURNED TO THE BOARD AS UNDELIVERABLE, THE BOARD SHALL SEND TO THE DISTRIBUTION PERMIT HOLDER A RENEWAL NOTICE BY FIRST-CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE DISTRIBUTION PERMIT HOLDER.

(iv) A RENEWAL NOTICE SENT UNDER THIS PARAGRAPH SHALL STATE:

1. The date on which the current distribution permit expires;

~~(ii)~~ 2. The date by which the renewal application must be received by the Board for the renewal to be issued and mailed before the distribution permit expires; and

~~(iii)~~ 3. The amount of the renewal fee.

12-6B-07.

1 (b) ~~At least 1 month before a registration expires, the Board shall send to the~~
 2 ~~registered pharmacy technician, by first class mail OR ELECTRONIC MEANS to the~~
 3 ~~last known address of the registered pharmacy technician, a renewal notice that~~
 4 ~~states:~~

5 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
 6 SUBSECTION, THE BOARD SHALL SEND TO EACH REGISTERED PHARMACY
 7 TECHNICIAN, AT LEAST 1 MONTH BEFORE A REGISTRATION EXPIRES, A
 8 RENEWAL NOTICE BY FIRST-CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE
 9 REGISTERED PHARMACY TECHNICIAN.

10 (2) IF REQUESTED BY A REGISTERED PHARMACY TECHNICIAN,
 11 THE BOARD SHALL SEND TO THE REGISTERED PHARMACY TECHNICIAN, AT
 12 LEAST TWO TIMES WITHIN THE MONTH BEFORE A PHARMACY TECHNICIAN
 13 REGISTRATION EXPIRES, A RENEWAL NOTICE BY ELECTRONIC MEANS TO THE
 14 LAST KNOWN ELECTRONIC ADDRESS OF THE REGISTERED PHARMACY
 15 TECHNICIAN.

16 (3) IF A RENEWAL NOTICE SENT BY ELECTRONIC MEANS UNDER
 17 PARAGRAPH (2) OF THIS SUBSECTION IS RETURNED TO THE BOARD AS
 18 UNDELIVERABLE, THE BOARD SHALL SEND THE REGISTERED PHARMACY
 19 TECHNICIAN A RENEWAL NOTICE BY FIRST-CLASS MAIL TO THE LAST KNOWN
 20 ADDRESS OF THE REGISTERED PHARMACY TECHNICIAN.

21 (4) A RENEWAL NOTICE SENT UNDER THIS SUBSECTION SHALL
 22 STATE:

23 (I) The date on which the CURRENT registration expires;

24 ~~(2)~~ (II) The date by which the renewal application must be received
 25 by the Board for the renewal to be issued and mailed before the ~~pharmacy technician's~~
 26 registration expires; and

27 ~~(3)~~ (III) The amount of the renewal fee.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 29 October 1, 2007.