

HOUSE BILL 141

J2

71r0500

By: **Delegate Elliott**

Introduced and read first time: January 25, 2007

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 21, 2007

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.

12 BY repealing and reenacting, with amendments,
13 Article – Health Occupations
14 Section 12–308(b), 12–407(b), 12–602(j)(2), and 12–6B–07(b)
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2006 Supplement)

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

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.



1 **Article - Health Occupations**

2 12-308.

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

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

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

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

18 (4) **A RENEWAL NOTICE SENT UNDER THIS SUBSECTION SHALL**
 19 **STATE:**

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

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

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

24 12-407.

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

28 (1) ~~A pharmacy permit renewal application form for each pharmacy~~
 29 ~~permit held; and~~

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

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

7 **(2) IF REQUESTED BY A PHARMACY PERMIT HOLDER, THE BOARD**
 8 **SHALL SEND TO THE PHARMACY PERMIT HOLDER, AT LEAST TWO TIMES WITHIN**
 9 **THE MONTH BEFORE A PHARMACY PERMIT EXPIRES, A RENEWAL NOTICE FOR**
 10 **EACH PHARMACY PERMIT BY ELECTRONIC MEANS TO THE LAST KNOWN**
 11 **ELECTRONIC ADDRESS OF THE PHARMACY PERMIT HOLDER.**

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

17 **(4) A RENEWAL NOTICE SENT UNDER THIS SUBSECTION SHALL**
 18 **STATE:**

19 (i) The date on which the current pharmacy permits expire;

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

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

24 12-602.

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

29 **(i) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
 30 **PARAGRAPH, THE BOARD SHALL SEND TO EACH DISTRIBUTION PERMIT**

1 HOLDER, AT LEAST 1 MONTH BEFORE THE DISTRIBUTION PERMIT EXPIRES, A
 2 RENEWAL NOTICE BY FIRST-CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE
 3 DISTRIBUTION PERMIT HOLDER.

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

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

14 (IV) A RENEWAL NOTICE SENT UNDER THIS PARAGRAPH
 15 SHALL STATE:

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

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

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

22 12-6B-07.

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

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

1 **(2) IF REQUESTED BY A REGISTERED PHARMACY TECHNICIAN,**
 2 **THE BOARD SHALL SEND TO THE REGISTERED PHARMACY TECHNICIAN, AT**
 3 **LEAST TWO TIMES WITHIN THE MONTH BEFORE A PHARMACY TECHNICIAN**
 4 **REGISTRATION EXPIRES, A RENEWAL NOTICE BY ELECTRONIC MEANS TO THE**
 5 **LAST KNOWN ELECTRONIC ADDRESS OF THE REGISTERED PHARMACY**
 6 **TECHNICIAN.**

7 **(3) IF A RENEWAL NOTICE SENT BY ELECTRONIC MEANS UNDER**
 8 **PARAGRAPH (2) OF THIS SUBSECTION IS RETURNED TO BOARD AS**
 9 **UNDELIVERABLE, THE BOARD SHALL SEND THE REGISTERED PHARMACY**
 10 **TECHNICIAN A RENEWAL NOTICE BY FIRST-CLASS MAIL TO THE LAST KNOWN**
 11 **ADDRESS OF THE REGISTERED PHARMACY TECHNICIAN.**

12 **(4) A RENEWAL NOTICE SENT UNDER THIS SUBSECTION SHALL**
 13 **STATE:**

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

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.