

CHAPTER 378

(House Bill 141)

AN ACT concerning

State Board of Pharmacy – Sending Renewal Notices by Electronic Means

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

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12-308(b), 12-407(b), 12-602(j)(2), and 12-6B-07(b)

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

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

Article – Health Occupations

12-308.

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

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

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

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

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

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

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

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

12-407.

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

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

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

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

(2) IF REQUESTED BY A PHARMACY PERMIT HOLDER, THE BOARD SHALL SEND TO THE PHARMACY PERMIT HOLDER, AT LEAST TWO TIMES WITHIN THE MONTH BEFORE A PHARMACY PERMIT EXPIRES, A RENEWAL NOTICE FOR

EACH PHARMACY PERMIT BY ELECTRONIC MEANS TO THE LAST KNOWN ELECTRONIC ADDRESS OF THE PHARMACY PERMIT HOLDER.

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

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

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

(ii) The date by which the renewal ~~applications~~ **APPLICATION** must be received by the Board for the ~~renewals~~ **RENEWAL** to be issued and mailed 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.

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

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

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

(3) IF A RENEWAL NOTICE SENT BY ELECTRONIC MEANS UNDER PARAGRAPH (2) OF THIS SUBSECTION IS RETURNED TO *THE* BOARD AS

UNDELIVERABLE, THE BOARD SHALL SEND THE REGISTERED PHARMACY TECHNICIAN A RENEWAL NOTICE BY FIRST-CLASS MAIL TO THE LAST KNOWN ADDRESS OF THE REGISTERED PHARMACY TECHNICIAN.

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

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

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

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

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

Approved by the Governor, May 8, 2007.