

SENATE BILL 309

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9lr1784
CF HB 252

By: **Senator Conway**

Introduced and read first time: January 28, 2009

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 9, 2009

CHAPTER _____

1 AN ACT concerning

2 **State Board of Pharmacy – Pharmacy Permit – Term and Renewal**

3 FOR the purpose of altering the term of a pharmacy permit; requiring the State Board
4 of Pharmacy to send out a certain notice within a certain time of the expiration
5 of a pharmacy permit; and generally relating to a pharmacy permit term and
6 renewal.

7 BY repealing and reenacting, with amendments,
8 Article – Health Occupations
9 Section 12–407
10 Annotated Code of Maryland
11 (2005 Replacement Volume and 2008 Supplement)

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

14 **Article – Health Occupations**

15 12–407.

16 (a) A pharmacy permit expires on the December 31 after its effective date,
17 unless the pharmacy permit is renewed for a [1–year] **2–YEAR** term as provided in
18 this section.

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 (b) (1) Except as provided in paragraph (2) of this subsection, [on or
2 before November 1 of each year,] **AT LEAST ~~1-MONTH~~ 3 MONTHS BEFORE THE**
3 **PERMIT EXPIRES**, the Board shall send to each pharmacy permit holder a renewal
4 notice [and renewal application form] for each pharmacy permit by first-class mail to
5 the last known address of the pharmacy permit holder.

6 (2) If requested by a pharmacy permit holder, the Board shall send to
7 the pharmacy permit holder, at least two times within the month before a pharmacy
8 permit expires, a renewal notice for each pharmacy permit by electronic means to the
9 last known electronic address of the pharmacy permit holder.

10 (3) If a renewal notice sent by electronic means under paragraph (2) of
11 this subsection is returned to the Board as undeliverable, the Board shall send to the
12 pharmacy permit holder a renewal notice for each pharmacy permit by first-class mail
13 to the last known address of the pharmacy permit holder.

14 (4) A renewal notice sent under this subsection shall state:

15 (i) The date on which the current pharmacy permit expires;

16 (ii) The date by which the renewal application must be received
17 by the Board for the renewal to be issued and mailed before the pharmacy permit
18 expires; and

19 (iii) The amount of the renewal fee.

20 (c) Before the pharmacy permit expires, the pharmacy permit holder
21 periodically may renew it for an additional [1-year] **2-YEAR** term, if the pharmacy
22 permit holder:

23 (1) Otherwise is entitled to the pharmacy permit;

24 (2) Pays to the Board a renewal fee set by the Board; and

25 (3) Submits a renewal application to the Board on the form that the
26 Board provides.

27 (d) The Board shall renew the pharmacy permit of each pharmacy permit
28 holder who meets the requirements of this section.

29 (e) If application for renewal is not made on or before December 1, the
30 pharmacy permit shall expire on the last day of its term and the Board may not
31 reinstate the pharmacy permit unless the applicant:

32 (1) Provides reason, sufficient to the Board, for the failure to file
33 within the time required; and

1 (2) Pays, in addition to the renewal fee, a late fee set by the Board.

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 July 1, 2009.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.