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§21–220.

(a) A drug that is intended for use by human beings and is in any of the following classifications may be dispensed by a pharmacist only on a written or oral prescription from a health practitioner authorized by law to prescribe the drug:

(1) A habit-forming drug to which § 21-218(b)(1) of this subtitle applies.

(2) A drug that because of its toxicity or other potentiality for harmful effect, the method of its use, or the collateral measures necessary to its use, is not safe for use except under the supervision of a health practitioner who is authorized by law to administer such a drug.

(3) A drug that is limited by an approved application under § 355 of the federal act or § 21-223 of this subtitle to use under the professional supervision of a health practitioner authorized by law to administer such a drug.

(b) (1) A prescription may be written or oral. However, a pharmacist may not dispense a drug on an oral prescription unless the pharmacist promptly writes out and files the prescription.

(2) A prescription for a controlled dangerous substance within the meaning of Title 5 of the Criminal Law Article may not be written on a preprinted prescription form that states the name, quantity, or strength of the controlled dangerous substance.

(3) When a prescription is written, a separate prescription form is required for each controlled dangerous substance. If a pharmacist is otherwise satisfied that a prescription is valid the pharmacist may fill the prescription if the pharmacist promptly writes out and files a prescription for each substance and also files the original prescription.

(4) A prescription shall be legible.

(c) A pharmacist may not refill and dispense a prescription unless the refilling is authorized by:

(1) The health practitioner's specification in the original prescription as to how many times it may be refilled; or

(2) An oral order of the health practitioner that promptly is written out and filed by the pharmacist.

(d) The dispensing of a drug without complying with the requirements of this section is the dispensing of a misbranded drug.

(e) (1) A drug that is subject to the prescription requirements of this section is misbranded if, at any time before it is dispensed, its label does not bear the statement “Caution: Federal Law Prohibits Dispensing Without Prescription”, or “Caution: State Law Prohibits Dispensing Without Prescription”.

(2) A drug to which the prescription requirements of this section do not apply is misbranded if, at any time before it is dispensed, its label bears the caution statement quoted in paragraph (1) of this subsection.

(f) (1) The prescription requirements of this section do not apply to any drug that is exempted under a rule or regulation adopted by the Secretary.

(2) The Secretary, by rule or regulation, may exempt any drug from the requirements of this section if the Secretary finds that, as to the drug, the requirements of this section are not necessary for the protection of the public health.

(3) The Secretary, by rule and regulation, may exempt from the requirements of this section any drug that is removed from the prescription requirements of the federal act by a rule or regulation adopted under that act.

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