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§21–2A–01.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Board” means the Advisory Board on Prescription Drug Monitoring.
- (c) (1) “Dispense” has the meaning stated in § 12–101 of the Health Occupations Article.
 - (2) “Dispense” does not include:
 - (i) Directly administering a monitored prescription drug to a patient; or
 - (ii) Giving out prescription drug samples.
- (d) (1) “Dispenser” means a person authorized by law to dispense a monitored prescription drug to a patient or the patient’s agent in the State.
 - (2) “Dispenser” includes a nonresident pharmacy.
 - (3) “Dispenser” does not include:
 - (i) A licensed hospital pharmacy that only dispenses a monitored prescription drug for direct administration to an inpatient of the hospital;
 - (ii) An opioid maintenance program;
 - (iii) A veterinarian licensed under Title 2, Subtitle 3 of the Agriculture Article when prescribing controlled substances for animals in the usual course of providing professional services;
 - (iv) A pharmacy issued a waiver permit under COMAR 10.34.17.03 that provides pharmaceutical specialty services exclusively to persons living in assisted living facilities, comprehensive care facilities, and developmental disabilities facilities; and
 - (v) A pharmacy that:
 - 1. Dispenses medications to an inpatient hospice; and
 - 2. Has been granted a waiver under § 21–2A–03(f) of this subtitle.
- (e) “Licensing entity” means an entity authorized under the Health Occupations Article to license, regulate, or discipline a prescriber or dispenser.

(f) “Monitored prescription drug” means a prescription drug that contains a Schedule II, Schedule III, Schedule IV, or Schedule V controlled dangerous substance designated under Title 5, Subtitle 4 of the Criminal Law Article.

(g) “Opioid maintenance program” means a program that:

(1) Is certified by the State under § 8–404 of this article;

(2) Is authorized to treat patients with opioid dependence with a medication approved by the federal Food and Drug Administration for opioid dependence;

(3) Complies with:

(i) The Code of Federal Regulations 42, Part 8;

(ii) COMAR 10.47.02.11; and

(iii) Requirements for the secure storage and accounting of opioid medication imposed by the federal Drug Enforcement Administration and the State Division of Drug Control; and

(4) Has been granted a certification for operation by the Department, the federal Substance Abuse and Mental Health Services Administration, and the federal Center for Substance Abuse Treatment.

(h) “Prescriber” means a licensed health care professional authorized by law to prescribe a monitored prescription drug.

(i) “Prescription drug” has the meaning stated in § 21–201 of this title.

(j) “Prescription monitoring data” means the information submitted to the Program for a monitored prescription drug.

(k) “Program” means the Prescription Drug Monitoring Program established under this subtitle.

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