

HOUSE BILL 591

J2

5lr2071
CF SB 1

By: Delegates Miele, Hayes, Krebs, Pena–Melnik, ~~and Saab~~ Saab, Hammen, Angel, Barron, Bromwell, Cullison, Hill, Kelly, Kipke, McDonough, McMillan, Morgan, Morhaim, Oaks, Pendergrass, Reznik, Sample–Hughes, West, and K. Young

Introduced and read first time: February 12, 2015

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 15, 2015

CHAPTER _____

1 AN ACT concerning

2 **Health Occupations – Pharmacists – Refills of Prescriptions During State of**
3 **Emergency**

4 FOR the purpose of altering the circumstances under which a pharmacist, during a state
5 of emergency, may refill a prescription for a drug for which the refill has not been
6 authorized; providing that a pharmacist who is working in Maryland, instead of the
7 area declared an emergency, may refill the prescription if the federal or any state
8 government, instead of the federal or this State’s government, declares a state of
9 emergency; increasing the maximum quantity of the drug that may be dispensed
10 under the prescription refill; and generally relating to refills of prescriptions during
11 a state of emergency.

12 BY repealing and reenacting, without amendments,
13 Article – Health Occupations
14 Section 1–101(a) and (k)
15 Annotated Code of Maryland
16 (2014 Replacement Volume)

17 BY repealing and reenacting, with amendments,
18 Article – Health Occupations
19 Section 12–506(c)
20 Annotated Code of Maryland

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 (2014 Replacement Volume)

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

4 **Article – Health Occupations**

5 1–101.

6 (a) In this article the following words have the meanings indicated.

7 (k) “State” means:

8 (1) A state, possession, or territory of the United States;

9 (2) The District of Columbia; or

10 (3) The Commonwealth of Puerto Rico.

11 12–506.

12 (c) If the federal or [State] **A STATE** government declares a state of emergency, a
13 pharmacist working in [the area declared an emergency] **MARYLAND** may refill a
14 prescription for a drug for which the refill has not been authorized if:

15 (1) As a result of the emergency, the pharmacist is unable to obtain an
16 authorization from the authorized prescriber;

17 (2) The refill of the prescription is not for a controlled dangerous substance;

18 (3) The quantity dispensed does not exceed a [14–day] **30–DAY** supply or
19 unit of use; and

20 (4) The pharmacist notifies the authorized prescriber of the refill of the
21 prescription within 7 days of dispensing the drug.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2015.