

## Article - Health Occupations

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§12–406.

(a) A pharmacy permit authorizes the pharmacy permit holder to establish and operate the pharmacy while the pharmacy permit is effective.

(b) (1) Subject to paragraphs (2) and (3) of this subsection, a pharmacy permit holder may conduct wholesale distribution, if:

(i) The wholesale distribution business does not exceed 5% of the pharmacy permit holder's annual sales; and

(ii) The pharmacy permit holder:

1. Maintains records of wholesale distribution separately from its other records; and

2. Makes the records of wholesale distribution available for inspection by the Board.

(2) A pharmacy permit holder that obtains a waiver from the Board under § 12–403(d) of this subtitle may conduct wholesale distribution only with another pharmacy permit holder.

(3) A retail pharmacy that holds a pharmacy permit may conduct wholesale distribution only with:

(i) Another pharmacy permit holder; and

(ii) A wholesale distributor if the retail pharmacy:

1. Reports to the Board that the retail pharmacy is conducting wholesale distribution with a wholesale distributor; and

2. A. Maintains records of wholesale distribution with wholesale distributors separately from its records of wholesale distribution with pharmacy permit holders; and

B. Makes the records of wholesale distribution available for inspection by the Board.

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