

Article - Health Occupations

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§8-512.

(a) (1) In this section the following words have the meanings indicated.

(2) “Authorized prescriber” means a licensed registered nurse, licensed dentist, licensed physician, licensed physician’s assistant, licensed podiatrist, or other individual authorized by law to prescribe prescription or nonprescription drugs or devices.

(3) (i) “Device” means an item used in the diagnosis, treatment, or prevention of disease.

(ii) “Device” does not include:

1. Surgical or dental instruments;
2. Physical therapy equipment;
3. X-ray apparatuses; or
4. Component parts of or accessories for any of the items described in items 1 through 3 of this subparagraph.

(4) (i) “Dispense” means a procedure that results in the receipt of a drug or device by a patient or a patient’s agent.

(ii) “Dispense” includes:

1. Interpreting an authorized prescriber’s prescription for a drug or device;
2. Selecting and labeling the drug or device prescribed;
3. Measuring and packaging the drug or device in accordance with State and federal law; and
4. Documenting the transaction in the patient’s medical record.

(5) “Drug” means, unless the context requires otherwise, a prescription or nonprescription drug.

(6) “Formulary” means a list of drugs and devices.

(7) “Nonprescription drug” means a drug that:

(i) May be sold without a prescription; and
(ii) Is labeled for use by a consumer in accordance with State and federal law.

(8) “Personally prepare and dispense” means to:

(i) Physically prepare a prescription;
(ii) Perform a final check of the prescription before dispensing it to a patient; and
(iii) Not delegate any step of the dispensing process.

(9) “Prescription drug” means a drug that, under § 21–220 of the Health – General Article, may be dispensed only on the prescription of an authorized prescriber.

(b) If a registered nurse complies with the requirements of this section, the registered nurse may personally prepare and dispense drugs and devices in a local health department:

(1) In accordance with the Overdose Response Program under Title 13, Subtitle 31 of the Health – General Article or the Expedited Partner Therapy Pilot Program under § 18–214.1 of the Health – General Article; or

(2) To patients in need of communicable disease, alcohol and drug abuse, family planning, or reproductive health services.

(c) A registered nurse may personally prepare and dispense drugs and devices if the registered nurse:

(1) Complies with the formulary developed and approved under § 3–403(b) of the Health – General Article;

(2) Has successfully completed a training program administered by the Department in accordance with § 3–405 of the Health – General Article;

(3) Maintains the patient’s health record in a manner that ensures the confidentiality of the patient’s drug and device medication record in accordance with State and federal laws;

(4) Complies with drug and device storage and inventory procedures in accordance with Department policy; and

(5) Has received a prescription from an authorized prescriber employed at a local health department.

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