

HOUSE BILL 1159

J2

7lr2302
CF SB 814

By: **Delegates Pena–Melnyk, Morales, Angel, Hayes, Hill, Kelly, Kipke, Krebs, Miele, Morgan, Platt, Szeliga, West, ~~and K. Young~~ K. Young, Bromwell, Cullison, McDonough, Metzgar, Pendergrass, Rosenberg, Saab, and Sample–Hughes**

Introduced and read first time: February 9, 2017
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 15, 2017

CHAPTER _____

1 AN ACT concerning

2 **Pharmacists – Dispensing of Prescription Drugs – Single Dispensing of Dosage**
3 **Units**

4 FOR the purpose of authorizing, with a certain exception, a pharmacist to dispense, in a
5 single dispensing and exercising the pharmacist’s professional judgment, a quantity
6 of a prescription drug that is up to a certain number of authorized dosage units and
7 does not exceed a certain supply of the prescription drug; providing that this Act does
8 not apply to a certain controlled dangerous substance, certain prescriptions that an
9 authorized prescriber prescribes for a patient, or a certain supply of prescription
10 contraceptives; defining a certain term; and generally relating to pharmacists and
11 dispensing of prescription drugs.

12 BY adding to
13 Article – Health Occupations
14 Section 12–511
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2016 Supplement)

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

19 **Article – Health Occupations**

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 12-511.

2 (A) IN THIS SECTION, "AUTHORIZED PRESCRIBER" HAS THE MEANING
 3 STATED IN § 12-101 OF THIS TITLE.

4 ~~(A)~~ (B) THIS SECTION DOES NOT APPLY ~~TO A~~ TO:

5 (1) A CONTROLLED DANGEROUS SUBSTANCE AS DEFINED IN § 5-101
 6 OF THE CRIMINAL LAW ARTICLE;

7 (2) THE FIRST PRESCRIPTION OR CHANGE IN A PRESCRIPTION FOR A
 8 DRUG THAT AN AUTHORIZED PRESCRIBER PRESCRIBES FOR A PATIENT; OR

9 (3) THE FIRST 2-MONTH SUPPLY OF PRESCRIPTION
 10 CONTRACEPTIVES DISPENSED UNDER:

11 (I) THE INITIAL PRESCRIPTION FOR THE CONTRACEPTIVES; OR

12 (II) ANY SUBSEQUENT PRESCRIPTION FOR A CONTRACEPTIVE
 13 THAT IS DIFFERENT THAN THE LAST CONTRACEPTIVE DISPENSED TO THE PATIENT.

14 ~~(B)~~ (C) A EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A
 15 PHARMACIST MAY DISPENSE, IN A SINGLE DISPENSING AND EXERCISING THE
 16 PROFESSIONAL JUDGMENT OF THE PHARMACIST, A QUANTITY OF A PRESCRIPTION
 17 DRUG THAT:

18 (1) IS UP TO THE TOTAL NUMBER OF DOSAGE UNITS AUTHORIZED BY
 19 THE PRESCRIBER ON THE ORIGINAL PRESCRIPTION AND ANY REFILLS OF THE
 20 PRESCRIPTION;

21 (2) EXCEPT FOR A CONTRACEPTIVE DISPENSED ON AND AFTER
 22 JANUARY 1, 2018, DOES NOT EXCEED A 90-DAY SUPPLY OF THE PRESCRIPTION
 23 DRUG; AND

24 (3) FOR A CONTRACEPTIVE DISPENSED ON AND AFTER JANUARY 1,
 25 2018, DOES NOT EXCEED A 6-MONTH SUPPLY OF THE PRESCRIPTION DRUG.

26 (D) A PHARMACIST MAY NOT DISPENSE, IN A SINGLE DOSE, A QUANTITY OF
 27 A PRESCRIPTION DRUG THAT EXCEEDS THE LIMIT PRESCRIBED BY A PRESCRIBER
 28 WHEN THE PRESCRIBER HAS INDICATED THAT THE PRESCRIPTION BE DISPENSED
 29 ONLY AS PRESCRIBED.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 31 October 1, 2017.