

Chapter 461

(House Bill 1558)

AN ACT concerning

Pharmacists – Dispensing of Prescription Drugs – Single Dispensing of Dosage Units

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

BY adding to

Article – Health Occupations
Section 12–512
Annotated Code of Maryland
(2014 Replacement Volume and 2017 Supplement)

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

Article – Health Occupations

12–512.

(A) IN THIS SECTION, “AUTHORIZED PRESCRIBER” HAS THE MEANING STATED IN § 12–101 OF THIS TITLE.

(B) THIS SECTION DOES NOT APPLY TO:

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

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

~~(3) THE FIRST 2 MONTH SUPPLY OF PRESCRIPTION CONTRACEPTIVES DISPENSED UNDER:~~

~~(4) THE INITIAL PRESCRIPTION FOR THE CONTRACEPTIVES; OR~~

~~(H) ANY SUBSEQUENT PRESCRIPTION FOR A CONTRACEPTIVE THAT IS DIFFERENT FROM THE LAST CONTRACEPTIVE DISPENSED TO THE PATIENT.~~

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

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

(2) EXCEPT FOR A CONTRACEPTIVE DISPENSED ON OR AFTER JANUARY 1, ~~2019~~ 2020, DOES NOT EXCEED A 90-DAY SUPPLY OF THE PRESCRIPTION DRUG; AND

(3) FOR A CONTRACEPTIVE DISPENSED ON OR AFTER JANUARY 1, ~~2019~~ 2020, DOES NOT EXCEED A ~~6-MONTH~~ 12-MONTH SUPPLY OF THE PRESCRIPTION DRUG.

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

Approved by the Governor, May 8, 2018.