

HB1288/256486/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1288

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Prepackaged”; in the same line, after “Topical” insert “Medication”; in line 3, after “a” insert “certain”; in line 4, strike “personally”; in the same line, strike “prepackaged” and substitute “certain”; in the same line, after “topical” insert “medication”; strike beginning with “establishing” in line 4 down through “permit;” in line 5 and substitute “authorizing a physician to dispense a certain topical medication if the physician meets certain requirements; authorizing the State Board of Physicians to issue a certain written permit to certain physicians under certain circumstances;”; in line 6, strike “prepackaged topical” and substitute “topical medication”; after line 6, insert:

“BY adding to

Article – Health Occupations

Section 12–102(c)(2)(iii) and 14–509

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)”;

in line 9, strike “12–102(c)(2)(ii)1.C. and (k) through (m)” and substitute “12–102(c)(2)(iii) and (iv)”; and strike in their entirety lines 12 through 16, inclusive.

AMENDMENT NO. 2

On page 1, strike in their entirety lines 22 and 23.

On page 2, strike in their entirety lines 1 through 5, inclusive; after line 5, insert:

“(III) A LICENSED PHYSICIAN WHO COMPLIES WITH THE REQUIREMENTS OF ITEM (II) OF THIS PARAGRAPH FROM DISPENSING A TOPICAL

(Over)

MEDICATION IN ACCORDANCE WITH THE REQUIREMENTS OF § 14-509 OF THIS TITLE THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF HYPOTICHOSIS;

~~[(iii)]~~ **(IV)** A licensed physician who complies with the requirements of item (ii) of this paragraph from personally preparing and dispensing a prescription written by:

1. A physician assistant in accordance with a delegation agreement that complies with Title 15, Subtitle 3 of this article; or

2. A nurse practitioner who is authorized to practice under Title 8, Subtitle 3 of this article and is working with the physician in the same office setting; or

~~[(iv)]~~ **(V)** A hospital-based clinic from dispensing prescriptions to its patients.

14-509.”;

in line 6, strike “**(K) (1)**” and substitute “**(A)**”; strike beginning with “**SUBSECTION**” in line 6 down through the period in line 11 and substitute “**SECTION, “ACCME” MEANS THE ACCREDITING COUNCIL FOR CONTINUING MEDICAL EDUCATION.**

(B) A PHYSICIAN MAY DISPENSE A TOPICAL MEDICATION THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF HYPOTICHOSIS IF THE PHYSICIAN:

(1) COMPLIES WITH THE REQUIREMENTS OF § 12-102(C)(2)(II) OF THIS ARTICLE; AND

(2) HAS RECEIVED A SPECIAL CLASS OF WRITTEN PERMIT FROM THE BOARD.

(C) THE BOARD MAY ISSUE A SPECIAL CLASS OF WRITTEN PERMIT TO A PHYSICIAN UNDER SUBSECTION (B) OF THIS SECTION IF THE PHYSICIAN:

(1) COMPLETES 1 HOUR OF CONTINUING MEDICAL EDUCATION PER YEAR ON THE DISPENSING OF TOPICAL MEDICATIONS DEVELOPED BY AN ACCME-ACCREDITED MARYLAND NONPROFIT OR GOVERNMENTAL ENTITY; AND

(2) PAYS TO THE BOARD A \$100 PERMIT FEE.”;

and strike in their entirety the lines 12 through 28, inclusive.