

SB0166/767970/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 166
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 22 down through “date;” in line 26; in line 27, after “Act;” insert “defining a certain term;”; strike beginning with the second “providing” in line 27 down through “Act;” in line 28; and after line 29, insert:

“BY repealing and reenacting, without amendments,

Article - Correctional Services

Section 1-101(a) and (d)

Annotated Code of Maryland

(2017 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, without amendments,

Article - Criminal Law

Section 5-101(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2019 Supplement)

BY adding to

Article - Criminal Law

Section 5-101(p-1)

Annotated Code of Maryland

(2012 Replacement Volume and 2019 Supplement)”.

AMENDMENT NO. 2

On page 2, after line 11, insert:

“Article – Correctional Services

(Over)

1-101.

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

(d) “Correctional facility” means a facility that is operated for the purpose of detaining or confining adults who are charged with or found guilty of a crime.”;

and after line 12, insert:

“5-101.

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

(P-1) “ELECTRONIC PRESCRIPTION” MEANS A PRESCRIPTION THAT:

(1) IS GENERATED ON AN ELECTRONIC APPLICATION AND TRANSMITTED AS AN ELECTRONIC DATA FILE; AND

(2) IF THE PRESCRIPTION IS FOR A CONTROLLED DANGEROUS SUBSTANCE, COMPLIES WITH THE REQUIREMENTS OF 21 C.F.R. PART 1306.”.

AMENDMENT NO. 3

On page 5, in line 5, after “PRESCRIPTION,” insert “AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE,”; in line 16, strike “EXCEPT AS PROVIDED IN”; in line 17, after “oral” insert “OR MADE THROUGH AN ELECTRONIC PRESCRIPTION”; in line 23, strike “ELECTRONICALLY” and substitute “FOR A CONTROLLED DANGEROUS SUBSTANCE USING AN ELECTRONIC PRESCRIPTION, AS DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE”; and strike in their entirety lines 31 and 32 and substitute:

“(III) THE PRESCRIPTION IS ISSUED BY A HEALTH PRACTITIONER OUTSIDE THE STATE;

(IV) THE HEALTH PRACTITIONER IS PRESCRIBING AND DISPENSING THE CONTROLLED DANGEROUS SUBSTANCE DIRECTLY TO THE PATIENT;

(V) THE PRESCRIPTION IS BEING DISPENSED DIRECTLY TO THE PATIENT IN ACCORDANCE WITH § 12-102(C)(2)(IV) OF THE HEALTH OCCUPATIONS ARTICLE;”.

On page 6, in lines 1, 9, 11, and 15, strike “(IV)”, “(V)”, “(VI)”, and “(VII)”, respectively, and substitute “(VI)”, “(VII)”, “(VIII)”, and “(IX)”, respectively; in line 6, strike “OR”; and in line 8, after “PROVIDED;” insert “OR

4. IS DETAINED OR CONFINED OR IN A CORRECTIONAL FACILITY, AS DEFINED IN § 1-101 OF THE CORRECTIONAL SERVICES ARTICLE;”.

AMENDMENT NO. 4

On page 6, strike in their entirety lines 18 through 25, inclusive; and in lines 26 and 28, strike “(IX)” and “(X)”, respectively, and substitute “(X)” and “(XI)”, respectively.

On page 7, in lines 2, 6, 9, and 12, strike “(XI)”, “(XII)”, “(XIII)”, and “(XIV)”, respectively, and substitute “(XII)”, “(XIII)”, “(XIV)”, and “(XV)”, respectively.

On page 8, in line 24, strike “SHALL” and substitute “MAY”.

On page 9, in line 16, strike the brackets; and strike beginning with “; OR” in line 18 down through “PRACTITIONER” in line 19.

AMENDMENT NO. 5

On page 10, strike in their entirety lines 4 through 25, inclusive; in line 26, strike “3.” and substitute “2.”; in line 27, strike “2021” and substitute “2022”; and strike beginning with “Section” in line 27 down through “effect.” in line 29.