

# SENATE BILL 1016

J2, D4

4lr2071

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By: **Senator Charles**

Introduced and read first time: February 2, 2024

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Prescriptions for Children Subject to Joint Custody**

3 FOR the purpose of requiring health care providers who are authorized to prescribe to  
4 double the amount of each drug prescribed for a child if a parent of the child presents  
5 the prescriber with a court order of joint legal custody with a right of medical decision  
6 making; requiring a health care provider authorized to dispense prescription drugs  
7 to dispense the doubled prescription under certain circumstances; and generally  
8 relating to joint legal custody and prescriptions.

9 BY adding to

10 Article – Health Occupations

11 Section 1–229

12 Annotated Code of Maryland

13 (2021 Replacement Volume and 2023 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article – Health Occupations**

17 **1–229.**

18 **(A) IF A PARENT PRESENTS A HEALTH CARE PROVIDER AUTHORIZED TO**  
19 **PRESCRIBE UNDER THIS ARTICLE WITH A COURT ORDER OF JOINT LEGAL CUSTODY**  
20 **WITH A RIGHT OF MEDICAL DECISION MAKING, THE HEALTH CARE PROVIDER SHALL**  
21 **DOUBLE THE AMOUNT OF EACH DRUG THE HEALTH CARE PROVIDER PRESCRIBES**  
22 **FOR A CHILD OF THE PARENT.**

23 **(B) IF A PARENT PRESENTS A HEALTH CARE PROVIDER AUTHORIZED TO**  
24 **DISPENSE PRESCRIPTION DRUGS OR DEVICES UNDER THIS ARTICLE WITH A COURT**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **ORDER OF JOINT LEGAL CUSTODY WITH A RIGHT OF MEDICAL DECISION MAKING**  
2 **AND A PRESCRIPTION AUTHORIZED UNDER SUBSECTION (A) OF THIS SECTION, THE**  
3 **HEALTH CARE PROVIDER SHALL FILL THE PRESCRIPTION.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2024.