
By: Delegate Rawlings

Introduced and read first time: February 2, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations - State Board of Pharmacy**

3 FOR the purpose of altering requirements relating to the waiver of examination
4 requirements for certain applicants for a license to practice pharmacy; authorizing
5 the State Board of Pharmacy to establish certain terms, expiration dates, and
6 renewal requirements for certain licenses; requiring the Board to adopt certain
7 regulations; and generally relating to the regulatory authority of the State Board of
8 Pharmacy.

9 BY repealing

10 Article - Health Occupations
11 Section 12-305
12 Annotated Code of Maryland
13 (1994 Replacement Volume and 1995 Supplement)

14 BY adding to

15 Article - Health Occupations
16 Section 12-305
17 Annotated Code of Maryland
18 (1994 Replacement Volume and 1995 Supplement)

19 BY repealing and reenacting, with amendments,

20 Article - Health Occupations
21 Section 12-308
22 Annotated Code of Maryland
23 (1994 Replacement Volume and 1995 Supplement)

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

2

1 **Article - Health Occupations**

2 [12-305.

3 (a) Subject to the provisions of this section, the Board may make a reciprocal
4 agreement with any other state to waive any examination requirement of this title for an
5 individual who is licensed to practice pharmacy in that state.

6 (b) An agreement made under this section may allow the Board to grant a waiver
7 only if the individual:

8 (1) Is of good moral character;

9 (2) Pays the application fee set by the Board; and

10 (3) Provides adequate evidence that:

11 (i) At the time the applicant was licensed in the other state, the
12 applicant was qualified to take the examination that then was required by the laws of this
13 State; and

14 (ii) The applicant qualified for a license in the other state by passing
15 an examination administered in that or any other state.

16 (c) An agreement may be made with another state under this section only if,
17 under the agreement, the other state waives the examination of licensees of this State to
18 a similar extent as this State waives the examination requirements for individuals licensed
19 in that state.]

20 12-305.

21 (A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE BOARD MAY WAIVE
22 ANY EXAMINATION REQUIREMENT OF THIS TITLE FOR AN APPLICANT WHO IS
23 LICENSED TO PRACTICE PHARMACY IN ANY OTHER STATE, IF THAT STATE GRANTS
24 A SIMILAR WAIVER TO LICENSEES OF THIS STATE.

25 (B) THE BOARD MAY GRANT A WAIVER UNDER THIS SECTION ONLY IF THE
26 APPLICANT:

27 (1) IS OF GOOD MORAL CHARACTER;

28 (2) PAYS THE APPLICATION FEE SET BY THE BOARD; AND

29 (3) PROVIDES ADEQUATE EVIDENCE THAT THE APPLICANT:

30 (I) MEETS THE QUALIFICATIONS OTHERWISE REQUIRED BY THIS
31 TITLE; AND

32 (II) BECAME LICENSED OR REGISTERED IN THE OTHER STATE TO
33 PRACTICE PHARMACY ONLY AFTER PASSING AN EXAMINATION THAT IS APPROVED
34 BY THE BOARD.

35 (C) THE BOARD SHALL ADOPT BY REGULATION AN EXAMINATION TO BE
36 ADMINISTERED TO APPLICANTS WHO ARE LICENSED TO PRACTICE PHARMACY IN
37 ANY OTHER STATE.

3

1 12-308.

2 (a) [Unless a license is renewed for a 2-year term as provided in this section, the
3 license expires on the first September 30 that comes after the effective date of the
4 license.]

5 (1) A LICENSE EXPIRES ON THE DATE SET BY THE BOARD UNLESS IT IS
6 RENEWED FOR AN ADDITIONAL TERM AS PROVIDED IN THIS SECTION.

7 (2) A LICENSE MAY NOT BE RENEWED FOR A TERM LONGER THAN 2
8 YEARS.

9 (b) At least 1 month before the license expires, the Board shall send to the
10 licensee, by first-class mail to the last known address of the licensee, a renewal notice
11 that states:

12 (1) The date on which the current license expires;

13 (2) The date by which the renewal application must be received by the
14 Board for the renewal to be issued and mailed before the license expires; and

15 (3) The amount of the renewal fee.

16 (c) Before the license expires, the licensee periodically may renew it for an
17 additional [2-year] term SET BY THE BOARD IN ITS REGULATIONS, if the licensee:

18 (1) Otherwise is entitled to be licensed;

19 (2) Pays to the Board a renewal fee set by the Board; and

20 (3) Submits to the Board:

21 (i) A renewal application on the form that the Board requires; and

22 (ii) Satisfactory evidence of compliance with the continuing education
23 requirements set under this subtitle for license renewal.

24 (d) The Board shall renew the license of and issue a renewal certificate to each
25 licensee who meets the requirements of this section.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of
27 Pharmacy shall adopt and publish regulations to govern the transition to the new
28 expiration date for licenses to be set by the Board. These regulations shall provide for
29 continuing education requirements and the assessment of license renewal fees that take
30 into account the period between the former expiration date of September 30 and the new
31 expiration date to be set by the Board. The license renewal fees and continuing education
32 requirements shall be consistent with the fee schedules and continuing education
33 requirements for license renewal as otherwise provided under the Maryland Pharmacy
34 Act and the regulations of the Board.

35 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 October 1, 1996.