
By: Delegate Rawlings

Introduced and read first time: February 8, 1996

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations - Pharmacies - Prescription Drug Plans**

3 FOR the purpose of requiring certain pharmacies to offer the State's prescription drug
4 benefit plan the same reimbursement level that the pharmacy offers to certain other
5 persons; and generally relating to pharmacies.

6 BY repealing and reenacting, with amendments,
7 Article - Health Occupations
8 Section 12-403(a)
9 Annotated Code of Maryland
10 (1994 Replacement Volume and 1995 Supplement)

11 BY repealing and reenacting, without amendments,
12 Article - Health Occupations
13 Section 12-409
14 Annotated Code of Maryland
15 (1994 Replacement Volume and 1995 Supplement)

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

18 **Article - Health Occupations**

19 12-403.

20 (a) Except as otherwise provided in this section, a pharmacy for which a pharmacy
21 permit has been issued under this title:

22 (1) Shall be operated in compliance with the law and with the rules and
23 regulations of the Board;

24 (2) Shall be located and equipped so that the pharmacy may be operated
25 without endangering the public health or safety;

26 (3) Shall be constantly under the personal and immediate supervision of a
27 licensed pharmacist;

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1 (4) Shall provide complete pharmaceutical service by preparing and
2 dispensing all prescriptions that reasonably may be expected of a pharmacist;

3 (5) Except for a hospital pharmacy, shall provide services to the general
4 public and may not restrict or limit its services to any group of individuals;

5 (6) May not offer pharmaceutical services under any term or condition that
6 tends to interfere with or impair the free and complete exercise of professional
7 pharmaceutical judgment or skill;

8 (7) May not make any agreement that denies a patient a free choice of
9 pharmacists; [and]

10 (8) May not participate in any activity that is a ground for Board action
11 against a licensed pharmacist under § 12-313 of this title; AND

12 (9) SHALL OFFER THE STATE'S PRESCRIPTION DRUG BENEFIT PLAN THE
13 SAME REIMBURSEMENT LEVEL THAT THE PHARMACY OFFERS TO OTHER PLANS OR
14 PROGRAMS IN THE STATE OR IN OTHER ARRANGEMENTS IN THE STATE.

15 12-409.

16 Subject to the hearing provisions of § 12-411 of this subtitle, the Board may suspend
17 or revoke any pharmacy permit, if the pharmacy:

18 (1) Is conducted so as to endanger the public health or safety;

19 (2) Violates any of the standards specified in § 12-403 of this subtitle; or

20 (3) Otherwise is not conducted in accordance with the law.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 1996.