

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1062

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “authorizing” in line 3 down through “places;” in line 5; strike beginning with “certain” in line 6 down through “and” in line 7 and substitute “pharmacy permit holders”; in line 9, strike “the authority of the State Board of Pharmacy concerning”; in line 13, strike “12-602” and substitute “12-403(b)(15) and (16) and (f)(7) and (8)”; and after line 15, insert:

“BY adding to

Article - Health Occupations

Section 12-403(b)(17) and (f)(9)

Annotated Code of Maryland

(1994 Replacement Volume and 1997 Supplement)”.

AMENDMENT NO. 2

On pages 1 through 5, strike in their entirety the lines beginning with line 19 on page 1 through line 9 on page 5, inclusive, and substitute:

“12-403.

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

(15) Shall provide such personnel, automation, and technology as are necessary to allow the licensed pharmacist employee sufficient time to utilize the pharmacist’s knowledge and training and to perform competently the functions of a licensed pharmacist as required by law; [and]

(16) Shall provide such personnel, automation, and technology as are necessary to

(Over)

allow the licensed pharmacist employee to comply with the labeling requirements specified in § 12-505[.]; AND

(17) SHALL, WITH REGARD TO A PRESCRIPTION DRUG THAT IS DELIVERED IN THIS STATE BY THE UNITED STATES MAIL, A COMMON CARRIER, OR A DELIVERY SERVICE AND IS NOT PERSONALLY HAND DELIVERED DIRECTLY TO A PATIENT OR TO THE AGENT OF THE PATIENT AT THE RESIDENCE OF THE PATIENT OR AT ANOTHER LOCATION DESIGNATED BY THE PATIENT:

(I) PROVIDE A GENERAL WRITTEN NOTICE IN EACH SHIPMENT OF A PRESCRIPTION DRUG THAT ALERTS A CONSUMER THAT, UNDER CERTAIN CIRCUMSTANCES, A MEDICATION'S EFFECTIVENESS MAY BE AFFECTED BY EXPOSURE TO EXTREMES OF HEAT, COLD, OR HUMIDITY; AND

(II) PROVIDE A SPECIFIC WRITTEN NOTICE IN EACH SHIPMENT OF A PRESCRIPTION DRUG THAT PROVIDES A CONSUMER WITH A TOLL-FREE OR LOCAL CONSUMER ACCESS TELEPHONE NUMBER ACCESSIBLE DURING REGULAR HOURS OF OPERATION, WHICH IS DESIGNED TO RESPOND TO CONSUMER QUESTIONS PERTAINING TO MEDICATIONS.

(f) A nonresident pharmacy shall:

(7) Disclose its toll-free telephone number on a label affixed to each container of drug or devices; [and]

(8) Comply with the laws of this State relating to the confidentiality of prescription records if there are no laws relating to the confidentiality of prescription records in the state in which the nonresident pharmacy is located[.]; AND

(9) COMPLY WITH THE REQUIREMENTS OF SUBSECTION (B)(17) OF THIS SECTION.”.