Unofficial Copy 2000 Regular Session
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By: **Delegates Nathan-Pulliam and Morhaim**
Introduced and read first time: February 10, 2000
Assigned to: Environmental Matters

A BILL ENTITLED

AN ACT concerning

**Prescription Drugs - Required Labeling**

FOR the purpose of requiring a pharmacist to indicate on a label of a prescription whether the drug or product is a generic equivalent of the prescribed drug or product; and generally relating to the substitution and labeling of a generic equivalent for brand name drugs and products.

BY repealing and reenacting, with amendments,
Article - Health Occupations
Section 12-504(c) and 12-505(c)
Annotated Code of Maryland
(1994 Replacement Volume and 1999 Supplement)

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

**Article - Health Occupations**

12-504.

(c) If a drug or [device] product is substituted under this section, the pharmacist shall:

(1) Notify the patient in writing that the drug or [device] product dispensed is a generic equivalent of the prescribed drug or [device] product; [and]

(2) INDICATE ON THE LABEL WHETHER THE DRUG OR PRODUCT IS A GENERIC EQUIVALENT OF THE PRESCRIBED DRUG OR PRODUCT; AND

(3) Record on the prescription and keep a record of the name and manufacturer of the substituted drug or [device] product.

12-505.

(c) (1) Except as provided in paragraph (2) of this subsection, the pharmacist shall indicate on the label the same name for the drug or [device] PRODUCT as that used by the authorized prescriber.

(2) If, under § 12-504 of this subtitle, the pharmacist substitutes a drug or [device] product for that named by the authorized prescriber, the pharmacist shall indicate on the label [both]:

(I) [the] THE name of the PRESCRIBED drug or [device] product;

(II) WHETHER THE PRESCRIBED DRUG OR PRODUCT IS A GENERIC EQUIVALENT OR THE SAME AS THE PRESCRIBED DRUG OR PRODUCT; [and]

(III) [the] THE name of the manufacturer or distributor of the drug or [device] PRODUCT dispensed; AND

(IV) WHEN A DRUG OTHER THAN THE PRESCRIBED BRAND NAME IS DISPENSED THE GENERIC NAME SHALL BE PLACED ON THE LABEL.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2000.