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By: **Senator Dyson**

Introduced and read first time: January 31, 2001

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Nursing Home Residents - Prescription Drugs - Choice of Pharmacy**

3 FOR the purpose of providing that a nursing home resident may use a pharmacy of  
4 the resident's choice; requiring a nursing home to ensure that a resident has a  
5 certain pharmacy dispensing service available under certain circumstances;  
6 abrogating the provisions of this Act under certain circumstances; and generally  
7 relating to the right of a nursing home resident to use a pharmacy of the  
8 resident's choice.

9 BY adding to

10 Article - Health - General  
11 Section 19-1415  
12 Annotated Code of Maryland  
13 (2000 Replacement Volume)

14 BY repealing and reenacting, with amendments,

15 Article - Health - General  
16 Section 19-1415  
17 Annotated Code of Maryland  
18 (2000 Replacement Volume)

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

21 **Article - Health - General**

22 19-1415.

23 (A) A RESIDENT OF A NURSING HOME SHALL HAVE THE RESIDENT'S  
24 PRESCRIPTIONS FILLED BY A PHARMACY OF THE RESIDENT'S CHOICE.

25 (B) IF A PHARMACY SELECTED BY A PATIENT DOES NOT DISPENSE  
26 MEDICATION 24 HOURS A DAY AND 7 DAYS A WEEK, A NURSING HOME SHALL ENSURE  
27 THAT THERE IS AN ALTERNATE PHARMACY AVAILABLE TO A PATIENT FOR  
28 EMERGENCY PRESCRIPTION SERVICE.

1 [19-1415.] 19-1416.

2 This subtitle may be cited as the "Maryland Nursing Home Quality Assurance  
3 Act".

4 SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this  
5 Act or the application thereof to any person or circumstance is in conflict with a  
6 federal law or regulation or would impair the ability of the State to receive federal  
7 funds, then with no further action required by the General Assembly, this Act shall be  
8 abrogated and of no further force and effect.

9 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 2001.