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By: **Senator Klausmeier**

Introduced and read first time: February 4, 2004

Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Pharmacy Act - Practice of Pharmacy - Administration of**  
3 **Medication**

4 FOR the purpose of altering the definition of the term "practice pharmacy" to include  
5 administering medication in accordance with certain regulations adopted by the  
6 State Board of Pharmacy; requiring the Board, in consultation with certain  
7 entities, to adopt certain regulations; providing for the effective date of certain  
8 provisions of this Act; providing for the termination of certain provisions of this  
9 Act; and generally relating to the State Board of Pharmacy and the practice of  
10 pharmacy.

11 BY repealing and reenacting, with amendments,  
12 Article - Health Occupations  
13 Section 12-101(p)(1)  
14 Annotated Code of Maryland  
15 (2000 Replacement Volume and 2003 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article - Health Occupations  
18 Section 12-101(p)(1)  
19 Annotated Code of Maryland  
20 (2000 Replacement Volume and 2003 Supplement)  
21 (As enacted by Chapter 249 of the Acts of the General Assembly of 2002)

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

24 **Article - Health Occupations**

25 12-101.

26 (p) (1) "Practice pharmacy" means to engage in any of the following  
27 activities:

- 1 (i) Providing pharmaceutical care;
- 2 (ii) Compounding, dispensing, or distributing prescription drugs or  
3 devices;
- 4 (iii) Compounding or dispensing nonprescription drugs or devices;
- 5 (iv) Monitoring prescriptions for prescription and nonprescription  
6 drugs or devices;
- 7 (v) Providing information, explanation, or recommendations to  
8 patients and health care practitioners about the safe and effective use of prescription  
9 or nonprescription drugs or devices;
- 10 (vi) Identifying and appraising problems concerning the use or  
11 monitoring of therapy with drugs or devices; [or]
- 12 (vii) Acting within the parameters of a therapy management  
13 contract, as provided under Subtitle 6A of this title; OR

14 (VIII) ADMINISTERING MEDICATION TO AN INDIVIDUAL IN  
15 ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.

16 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
17 read as follows:

18 **Article - Health Occupations**

19 12-101.

- 20 (p) (1) "Practice pharmacy" means to engage in any of the following  
21 activities:
- 22 (i) Providing pharmaceutical care;
- 23 (ii) Compounding, dispensing, or distributing prescription drugs or  
24 devices;
- 25 (iii) Compounding or dispensing nonprescription drugs or devices;
- 26 (iv) Monitoring prescriptions for prescription and nonprescription  
27 drugs or devices;
- 28 (v) Providing information, explanation, or recommendations to  
29 patients and health care practitioners about the safe and effective use of prescription  
30 or nonprescription drugs or devices; [or]
- 31 (vi) Identifying and appraising problems concerning the use or  
32 monitoring of therapy with drugs or devices; OR

1 (VII) ADMINISTERING MEDICATION TO AN INDIVIDUAL IN  
2 ACCORDANCE WITH REGULATIONS ADOPTED BY THE BOARD.

3 SECTION 3. AND BE IT FURTHER ENACTED, That the State Board of  
4 Pharmacy, in consultation with the State Board of Physicians and the State Board of  
5 Nursing, shall adopt regulations necessary to implement this Act.

6 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall  
7 take effect on the taking effect of the termination provision specified in Section 5 of  
8 Chapter 249 of the Acts of the General Assembly of 2002. If that termination provision  
9 takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.  
10 This Act may not be interpreted to have any effect on that termination provision.

11 SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the provisions  
12 of Section 4 of this Act, this Act shall take effect October 1, 2004.