

HOUSE BILL 144

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71r0841

By: **Delegate Elliott**

Introduced and read first time: January 25, 2007

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Pharmacy – Pharmacist Rehabilitation**
3 **Committee – Definition**

4 FOR the purpose of altering the membership of a State Board of Pharmacy pharmacist
5 rehabilitation committee so that it includes at least one pharmacist instead of
6 being comprised of a majority of pharmacists; and generally relating to
7 pharmacist rehabilitation committees of the State Board of Pharmacy.

8 BY repealing and reenacting, with amendments,
9 Article – Health Occupations
10 Section 12–317
11 Annotated Code of Maryland
12 (2005 Replacement Volume and 2006 Supplement)

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

15 **Article – Health Occupations**

16 12–317.

17 (a) In this section, “pharmacist rehabilitation committee” means a group[,
18 the majority of which is comprised of pharmacists,] that **INCLUDES AT LEAST ONE**
19 **PHARMACIST AND** is recognized by the Board.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) For purposes of this section, a pharmacist rehabilitation committee
2 evaluates and provides assistance to any pharmacist or registered pharmacy
3 technician in need of treatment and rehabilitation for alcoholism, drug abuse,
4 chemical dependency, or other physical, emotional, or mental condition.

5 (c) (1) Except as otherwise provided in this section, the proceedings,
6 records, and files of a pharmacist rehabilitation committee are not discoverable and
7 are not admissible in evidence in any civil action arising out of matters that are being
8 or have been reviewed and evaluated by the pharmacist rehabilitation committee.

9 (2) Paragraph (1) of this subsection does not apply to any record or
10 document that is considered by the pharmacist rehabilitation committee and that
11 otherwise would be subject to discovery and introduction into evidence in a civil trial.

12 (3) For purposes of this subsection, civil action does not include a
13 proceeding before the Board or judicial review of a proceeding before the Board.

14 (d) A person who acts in good faith and within the scope of jurisdiction of a
15 pharmacist rehabilitation committee is not civilly liable for any action as a member of
16 the pharmacist rehabilitation committee or for giving information to, participating in,
17 or contributing to the function of the pharmacist rehabilitation committee.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2007.