

HOUSE BILL 252

J2

9lr1806
CF SB 309

By: **Delegate Costa**

Introduced and read first time: January 29, 2009

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2009

CHAPTER _____

1 AN ACT concerning

2 **State Board of Pharmacy – Pharmacy Permit – Term and Renewal**

3 FOR the purpose of altering the term of a pharmacy permit; ~~requiring the State Board~~
4 ~~of Pharmacy to send out a certain notice within a certain time of the expiration~~
5 ~~of a pharmacy permit~~ altering the date by which the State Board of Pharmacy is
6 required to send certain renewal notices to pharmacy permit holders; repealing
7 a requirement that the State Board send a renewal application form to each
8 pharmacy permit holder; and generally relating to a pharmacy permit term and
9 renewal.

10 BY repealing and reenacting, with amendments,
11 Article – Health Occupations
12 Section 12–407
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2008 Supplement)

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

17 **Article – Health Occupations**

18 12–407.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) A pharmacy permit expires on the December 31 after its effective date,
2 unless the pharmacy permit is renewed for a [1-year] **2-YEAR** term as provided in
3 this section.

4 (b) (1) Except as provided in paragraph (2) of this subsection, ~~on or~~
5 ~~before November 1 of each year, **OCTOBER 1 OF THE YEAR**, **AT LEAST 1 MONTH**~~
6 ~~**BEFORE THE PERMIT EXPIRES**~~, the Board shall send to each pharmacy permit
7 holder a renewal notice [and renewal application form] for each pharmacy permit by
8 first-class mail to the last known address of the pharmacy permit holder.

9 (2) If requested by a pharmacy permit holder, the Board shall send to
10 the pharmacy permit holder, at least two times within the month before a pharmacy
11 permit expires, a renewal notice for each pharmacy permit by electronic means to the
12 last known electronic address of the pharmacy permit holder.

13 (3) If a renewal notice sent by electronic means under paragraph (2) of
14 this subsection is returned to the Board as undeliverable, the Board shall send to the
15 pharmacy permit holder a renewal notice for each pharmacy permit by first-class mail
16 to the last known address of the pharmacy permit holder.

17 (4) A renewal notice sent under this subsection shall state:

18 (i) The date on which the current pharmacy permit expires;

19 (ii) The date by which the renewal application must be received
20 by the Board for the renewal to be issued and mailed before the pharmacy permit
21 expires; and

22 (iii) The amount of the renewal fee.

23 (c) Before the pharmacy permit expires, the pharmacy permit holder
24 periodically may renew it for an additional [1-year] **2-YEAR** term, if the pharmacy
25 permit holder:

26 (1) Otherwise is entitled to the pharmacy permit;

27 (2) Pays to the Board a renewal fee set by the Board; and

28 (3) Submits a renewal application to the Board on the form that the
29 Board provides.

30 (d) The Board shall renew the pharmacy permit of each pharmacy permit
31 holder who meets the requirements of this section.

32 (e) If application for renewal is not made on or before December 1, the
33 pharmacy permit shall expire on the last day of its term and the Board may not
34 reinstate the pharmacy permit unless the applicant:

1 (1) Provides reason, sufficient to the Board, for the failure to file
2 within the time required; and

3 (2) Pays, in addition to the renewal fee, a late fee set by the Board.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 July 1, 2009.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.