

SENATE BILL 242

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SB 433/08 – EHE

9lr1110

By: **Senators Pugh, Garagiola, Harrington, King, Lenett, Muse, and Raskin**
Introduced and read first time: January 23, 2009
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Pharmacy Permit Holders – Signs for Reporting Incorrectly Filled**
3 **Prescriptions**

4 FOR the purpose of requiring pharmacy permit holders to post certain signs that
5 include certain information regarding the process for resolving incorrectly filled
6 prescriptions in accordance with certain regulations; requiring that certain
7 signs be positioned and readable at certain points where certain drugs are
8 dispensed to consumers; and generally relating to pharmacy permit holders and
9 signs.

10 BY repealing and reenacting, with amendments,
11 Article – Health Occupations
12 Section 12–403(b)(18) and (19)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2008 Supplement)

15 BY adding to
16 Article – Health Occupations
17 Section 12–403(b)(20)
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2008 Supplement)

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

22 **Article – Health Occupations**

23 12–403.

24 (b) Except as otherwise provided in this section, a pharmacy for which a
25 pharmacy permit has been issued under this title:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (18) (i) May maintain a record log of any prescription that is
2 requested to be filled or refilled by a patient in accordance with the provisions of Title
3 4, Subtitle 3 of the Health – General Article;

4 (ii) If the prescription record of a patient includes the patient's
5 Social Security number, shall keep the Social Security number confidential;

6 (iii) May not list in the record log the type of illness, disability, or
7 condition that is the basis of any dispensing or distribution of a drug by a pharmacist;
8 and

9 (iv) May not list a patient's Social Security number, illness,
10 disability, or condition, or the name and type of drug received in the record log if the
11 log is available to other pharmacy customers; [and]

12 (19) May not allow an unauthorized individual to represent that the
13 individual is a pharmacist or registered pharmacy technician[.]; AND

14 **(20) SHALL POST A SIGN THAT:**

15 **(I) INCLUDES INFORMATION REGARDING THE PROCESS**
16 **FOR RESOLVING INCORRECTLY FILLED PRESCRIPTIONS IN ACCORDANCE WITH**
17 **EXISTING REGULATIONS; AND**

18 **(II) IS CONSPICUOUSLY POSITIONED AND READABLE BY**
19 **CONSUMERS AT THE POINT WHERE PRESCRIPTION DRUGS ARE DISPENSED TO**
20 **CONSUMERS.**

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2009.