

SENATE BILL 309

J2

(9lr1784)

ENROLLED BILL

—*Education, Health, and Environmental Affairs / Health and Government
Operations*—

Introduced by **Senator Conway**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

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 a*
7 *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

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.

Italics indicate opposite chamber / conference committee amendments.



1 (2005 Replacement Volume and 2008 Supplement)

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

4 **Article – Health Occupations**

5 12–407.

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

9 (b) (1) Except as provided in paragraph (2) of this subsection, ~~on or~~
10 ~~before November 1 of each year,] AT LEAST 1 MONTH 3 MONTHS BEFORE THE~~
11 ~~PERMIT EXPIRES~~ **OCTOBER 1 OF THE YEAR THE PERMIT EXPIRES**, the Board shall
12 send to each pharmacy permit holder a renewal notice [and renewal application form]
13 for each pharmacy permit by first–class mail to the last known address of the
14 pharmacy permit holder.

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

19 (3) If a renewal notice sent by electronic means under paragraph (2) of
20 this subsection is returned to the Board as undeliverable, the Board shall send to the
21 pharmacy permit holder a renewal notice for each pharmacy permit by first–class mail
22 to the last known address of the pharmacy permit holder.

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

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

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

28 (iii) The amount of the renewal fee.

29 (c) Before the pharmacy permit expires, the pharmacy permit holder
30 periodically may renew it for an additional [1–year] **2–YEAR** term, if the pharmacy
31 permit holder:

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

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

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

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

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

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

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.