

# SENATE BILL 309

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CF 9lr1806

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By: **Senator Conway**

Introduced and read first time: January 28, 2009

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

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; and generally relating to a pharmacy permit term and  
6 renewal.

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

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

14 **Article – Health Occupations**

15 12–407.

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

19 (b) (1) Except as provided in paragraph (2) of this subsection, [on or  
20 before November 1 of each year,] **AT LEAST 1 MONTH BEFORE THE PERMIT**  
21 **EXPIRES**, the Board shall send to each pharmacy permit holder a renewal notice [and  
22 renewal application form] for each pharmacy permit by first–class mail to the last  
23 known address of the pharmacy permit holder.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

14                   (iii) The amount of the renewal fee.

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

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

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

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

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

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

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

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

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