

CHAPTER 533

(House Bill 252)

AN ACT concerning

State Board of Pharmacy – Pharmacy Permit – Term and Renewal

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

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

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

Article – Health Occupations

12–407.

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

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

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

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

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

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

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

(iii) The amount of the renewal fee.

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

(1) Otherwise is entitled to the pharmacy permit;

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

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

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

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

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

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

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

Approved by the Governor, May 19, 2009.