

SENATE BILL 14

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5lr0627

(PRE-FILED)

By: **Senator Conway**

Requested: November 18, 2014

Introduced and read first time: January 14, 2015

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Board of Pharmacy – Pharmacist Rehabilitation**
3 **Committee – Definition**

4 FOR the purpose of altering the definition of “pharmacist rehabilitation committee”, for
5 purposes of provisions of law governing pharmacist rehabilitation committees, to
6 provide that it is a group that includes at least one pharmacist instead of a group,
7 the majority of which is comprised of pharmacists; and generally relating to
8 pharmacist rehabilitation committees.

9 BY repealing and reenacting, with amendments,
10 Article – Health Occupations
11 Section 12–317
12 Annotated Code of Maryland
13 (2014 Replacement Volume)

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

16 **Article – Health Occupations**

17 12–317.

18 (a) In this section, “pharmacist rehabilitation committee” means a group[, the
19 majority of which is comprised of pharmacists, that is] **THAT:**

20 **(1) INCLUDES AT LEAST ONE PHARMACIST; AND**

21 **(2) IS** recognized by the Board.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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1 (b) For purposes of this section, a pharmacist rehabilitation committee evaluates
2 and provides assistance to any pharmacist, registered pharmacy intern, or registered
3 pharmacy technician in need of treatment and rehabilitation for alcoholism, drug abuse,
4 chemical dependency, or other physical, emotional, or mental condition.

5 (c) (1) Except as otherwise provided in this section, the proceedings, records,
6 and files of a pharmacist rehabilitation committee are not discoverable and are not
7 admissible in evidence in any civil action arising out of matters that are being or have been
8 reviewed and evaluated by the pharmacist rehabilitation committee.

9 (2) Paragraph (1) of this subsection does not apply to any record or
10 document that is considered by the pharmacist rehabilitation committee and that otherwise
11 would be subject to discovery and introduction into evidence in a civil trial.

12 (3) For purposes of this subsection, civil action does not include a
13 proceeding before the Board or judicial review of a proceeding before the Board.

14 (d) A person who acts in good faith and within the scope of jurisdiction of a
15 pharmacist rehabilitation committee is not civilly liable for any action as a member of the
16 pharmacist rehabilitation committee or for giving information to, participating in, or
17 contributing to the function of the pharmacist rehabilitation committee.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2015.