

HOUSE BILL 6

E1

6lr1053

(PRE-FILED)

By: **Delegate K. Young**

Requested: November 3, 2015

Introduced and read first time: January 13, 2016

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Law – Improper Prescription of Controlled Dangerous Substance**
3 **Resulting in Death**

4 FOR the purpose of prohibiting a certain authorized provider from prescribing,
5 administering, distributing, or dispensing a controlled dangerous substance if the
6 authorized provider's prescription, administration, distribution, or dispensing of the
7 controlled dangerous substance is not in conformity with certain provisions of law
8 and the standards of the authorized provider's profession relating to controlled
9 dangerous substances, and the use or ingestion of the controlled dangerous
10 substance is a contributing cause of the death of the person; establishing penalties
11 for a violation of this Act; and generally relating to prescription, administration,
12 distribution, and dispensing of controlled dangerous substances.

13 BY adding to

14 Article – Criminal Law

15 Section 5–902.1

16 Annotated Code of Maryland

17 (2012 Replacement Volume and 2015 Supplement)

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

20 **Article – Criminal Law**

21 **5–902.1.**

22 **(A) AN AUTHORIZED PROVIDER MAY NOT PRESCRIBE, ADMINISTER,**
23 **DISTRIBUTE, OR DISPENSE A CONTROLLED DANGEROUS SUBSTANCE TO A PERSON**
24 **IF:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) THE AUTHORIZED PROVIDER'S PRESCRIPTION, ADMINISTRATION,**
2 **DISTRIBUTION, OR DISPENSING OF THE CONTROLLED DANGEROUS SUBSTANCE IS**
3 **NOT IN CONFORMITY WITH THIS TITLE AND THE STANDARDS OF THE AUTHORIZED**
4 **PROVIDER'S PROFESSION RELATING TO CONTROLLED DANGEROUS SUBSTANCES;**
5 **AND**

6 **(2) THE USE OR INGESTION OF THE CONTROLLED DANGEROUS**
7 **SUBSTANCE IS A CONTRIBUTING CAUSE OF THE DEATH OF THE PERSON.**

8 **(B) AN AUTHORIZED PROVIDER WHO VIOLATES THIS SECTION IS GUILTY OF**
9 **A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20**
10 **YEARS OR A FINE NOT EXCEEDING \$100,000 OR BOTH.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2016.