

HOUSE BILL 1558

J2
HB 1159/17 – HGO

8lr2948

By: **Delegates Morales, Angel, Barkley, Barron, Cullison, Hayes, Hill, Kelly, Kipke, Kramer, Lam, McDonough, Metzgar, Miele, Morgan, Pena–Melnik, Platt, Robinson, West, K. Young, ~~and P. Young~~ P. Young, Bromwell, Krebs, Pendergrass, Rosenberg, Saab, Sample–Hughes, and Szeliga**

Introduced and read first time: February 9, 2018
Assigned to: Health and Government Operations

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 14, 2018

CHAPTER _____

1 AN ACT concerning

2 **Pharmacists – Dispensing of Prescription Drugs – Single Dispensing of Dosage**
3 **Units**

4 FOR the purpose of authorizing, with a certain exception, a pharmacist to dispense, in a
5 single dispensing and exercising the pharmacist’s professional judgment, a quantity
6 of a prescription drug that is up to a certain number of authorized dosage units and
7 does not exceed a certain supply of the prescription drug; providing that this Act does
8 not apply to a certain controlled dangerous substance, or certain prescriptions that
9 an authorized prescriber prescribes for a patient, ~~or a certain supply of prescription~~
10 ~~contraceptives~~; defining a certain term; and generally relating to pharmacists and
11 dispensing of prescription drugs.

12 BY adding to
13 Article – Health Occupations
14 Section 12–512
15 Annotated Code of Maryland
16 (2014 Replacement Volume and 2017 Supplement)

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

19 **Article – Health Occupations**

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.



1 12-512.

2 (A) IN THIS SECTION, "AUTHORIZED PRESCRIBER" HAS THE MEANING
3 STATED IN § 12-101 OF THIS TITLE.

4 (B) THIS SECTION DOES NOT APPLY TO:

5 (1) A CONTROLLED DANGEROUS SUBSTANCE AS DEFINED IN § 5-101
6 OF THE CRIMINAL LAW ARTICLE; OR

7 (2) THE FIRST PRESCRIPTION OR CHANGE IN A PRESCRIPTION FOR A
8 DRUG THAT AN AUTHORIZED PRESCRIBER PRESCRIBES FOR A PATIENT; ~~OR~~

9 ~~(3) THE FIRST 2 MONTH SUPPLY OF PRESCRIPTION~~
10 ~~CONTRACEPTIVES DISPENSED UNDER:~~

11 ~~(I) THE INITIAL PRESCRIPTION FOR THE CONTRACEPTIVES; OR~~

12 ~~(H) ANY SUBSEQUENT PRESCRIPTION FOR A CONTRACEPTIVE~~
13 ~~THAT IS DIFFERENT FROM THE LAST CONTRACEPTIVE DISPENSED TO THE PATIENT.~~

14 (C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A
15 PHARMACIST MAY DISPENSE, IN A SINGLE DISPENSING AND EXERCISING THE
16 PROFESSIONAL JUDGMENT OF THE PHARMACIST, A QUANTITY OF A PRESCRIPTION
17 DRUG THAT:

18 (1) IS UP TO THE TOTAL NUMBER OF DOSAGE UNITS AUTHORIZED BY
19 THE PRESCRIBER ON THE ORIGINAL PRESCRIPTION AND ANY REFILLS OF THE
20 PRESCRIPTION;

21 (2) EXCEPT FOR A CONTRACEPTIVE DISPENSED ON OR AFTER
22 JANUARY 1, ~~2019~~ 2020, DOES NOT EXCEED A 90-DAY SUPPLY OF THE PRESCRIPTION
23 DRUG; AND

24 (3) FOR A CONTRACEPTIVE DISPENSED ON OR AFTER JANUARY 1,
25 ~~2019~~ 2020, DOES NOT EXCEED A ~~6-MONTH~~ 12-MONTH SUPPLY OF THE
26 PRESCRIPTION DRUG.

27 (D) A PHARMACIST MAY NOT DISPENSE, IN A SINGLE DOSE, A QUANTITY OF
28 A PRESCRIPTION DRUG THAT EXCEEDS THE LIMIT PRESCRIBED BY A PRESCRIBER
29 WHEN THE PRESCRIBER HAS INDICATED THAT THE PRESCRIPTION BE DISPENSED
30 ONLY AS PRESCRIBED.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.