$\begin{array}{c} 32\\ \text{CF HB 591} \end{array}$

By: Senators Zucker and Conway

Introduced and read first time: January 31, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 I	AN ACT concerning	
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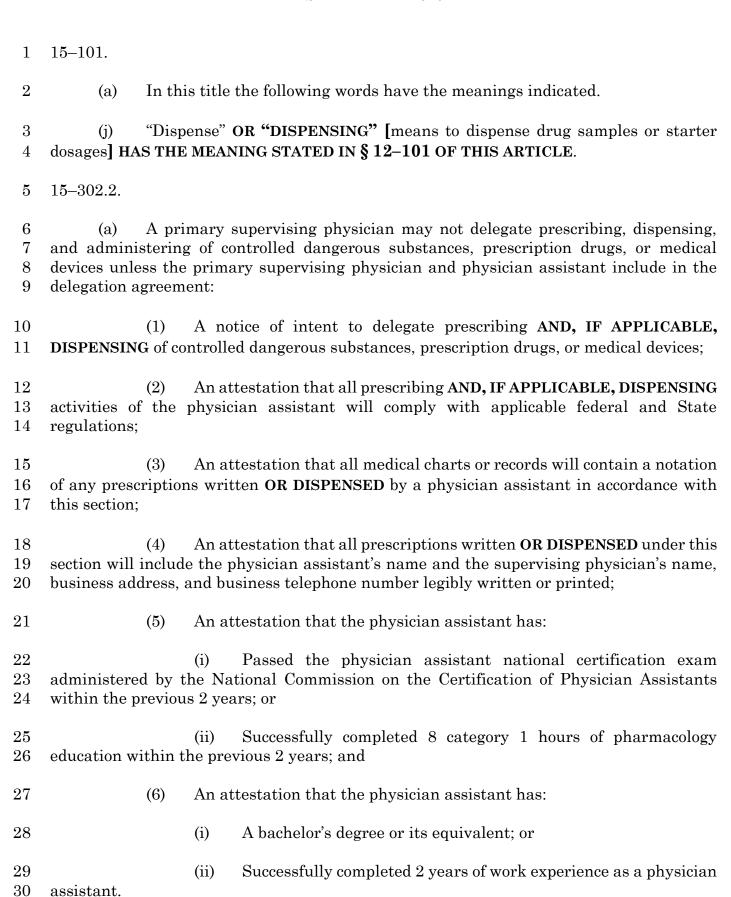
Health Occupations - Physician Assistants - Dispensing of Drugs Under a
Delegation Agreement

- 4 FOR the purpose of altering the required contents of a certain delegation agreement in 5 order for a primary supervising physician to delegate to a certain physician assistant 6 the dispensing of certain substances, drugs, and devices; prohibiting a primary 7 supervising physician from delegating the dispensing of certain controlled dangerous 8 substances identified as Schedule I under a certain provision of law; authorizing a 9 primary supervising physician to delegate the dispensing of certain controlled dangerous substances to a physician assistant who holds certain registrations; 10 11 repealing a provision of law that authorizes a physician assistant to personally 12 dispense a starter dose or drug samples under certain circumstances; making 13 conforming changes; altering a certain definition; and generally relating to the 14 dispensing of drugs by physician assistants.
- 15 BY repealing and reenacting, without amendments.
- 16 Article Health Occupations
- 17 Section 15–101(a)
- 18 Annotated Code of Maryland
- 19 (2014 Replacement Volume and 2017 Supplement)
- 20 BY repealing and reenacting, with amendments,
- 21 Article Health Occupations
- 22 Section 15–101(j) and 15–302.2
- 23 Annotated Code of Maryland
- 24 (2014 Replacement Volume and 2017 Supplement)
- 25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 26 That the Laws of Maryland read as follows:

Article – Health Occupations



assistant.



- 1 (b) (1) A primary supervising physician may not delegate the prescribing **OR** 2 **DISPENSING** of substances that are identified as Schedule I controlled dangerous 3 substances under § 5–402 of the Criminal Law Article.
- 4 (2) A primary supervising physician may delegate the prescribing **OR**5 **DISPENSING** of substances that are identified as Schedules II through V controlled
 6 dangerous substances under § 5–402 of the Criminal Law Article, including legend drugs
 7 as defined under § 503(b) of the Federal Food, Drug, and Cosmetic Act.
- 8 (3) A primary supervising physician may not delegate the prescribing **OR** 9 **DISPENSING** of controlled dangerous substances to a physician assistant unless the physician assistant has a valid:
- 11 (i) State controlled dangerous substance registration; and
- 12 (ii) Federal Drug Enforcement Agency (DEA) registration.
- [(c) A physician assistant personally may dispense a starter dosage or dispense drug samples of any drug the physician assistant is authorized to prescribe to a patient of the physician assistant if:
- 16 (1) The starter dosage or drug sample complies with the labeling 17 requirements of § 12–505 of this article;
- 18 (2) No charge is made for the starter dosage; and
- 19 (3) The physician assistant enters an appropriate record in the patient's 20 medical record.
- 21 (d) A physician assistant who personally dispenses a drug sample or starter 22 dosage in the course of treating a patient as authorized under subsection (c) of this section 23 shall comply with the requirements under Titles 12 and 14 of this article and applicable 24 federal law and regulations.]
- [(e)] (C) Before a physician assistant may renew a license for an additional 2—year term under § 15—307 of this subtitle, the physician assistant shall submit evidence to the Board of successful completion of 8 category 1 hours of pharmacology education within the previous 2 years.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 30 October 1, 2018.