

SB0916/134736/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 916
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Prepackaged”; in the same line, after “Topical” insert “Medication”; in line 3, after “a” insert “certain”; in line 4, strike “personally”; in the same line, strike “prepackaged” and substitute “certain”; in the same line, after “topical” insert “medication”; strike beginning with “establishing” in line 4 down through “permit;” in line 5 and substitute “authorizing a physician to dispense a certain topical medication if the physician meets certain requirements; authorizing the State Board of Physicians to issue a certain written permit to certain physicians under certain circumstances;”; in line 6, strike “prepackaged topical” and substitute “topical medication”; after line 6, insert:

“BY renumbering

Article – Health Occupations

Section 12–102(c)(2)(iii) and (iv), respectively

to be Section 12–102(c)(2)(iv) and (v), respectively

Annotated Code of Maryland

(2014 Replacement Volume and 2018 Supplement)”;

in line 7, strike “with” and substitute “without”; in line 9, strike “(k) through (m)” and substitute “4.M.”; in line 14, strike “12–102(k)” and substitute “12–102(c)(2)(iii) and 14–509”; and in line 18, after “That” insert “Section(s) 12–102(c)(2)(iii) and (iv), respectively, of Article – Health Occupations of the Annotated Code of Maryland be renumbered to be Section(s) 12–102(c)(2)(iv) and (v), respectively.”

SECTION 2. AND BE IT FURTHER ENACTED, That”.

AMENDMENT NO. 2

(Over)

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On page 1, strike in their entirety lines 22 and 23, inclusive.

On page 2, strike in their entirety lines 1 through 5, inclusive; after line 5, insert:

“(ii) A licensed dentist, physician, or podiatrist from personally preparing and dispensing the dentist’s, physician’s, or podiatrist’s prescriptions when:

1. The dentist, physician, or podiatrist:

C. Has received a written permit from that board to dispense prescription drugs or devices except that a written permit is not required in order to dispense starter dosages or samples without charge; and

4. The dentist, physician, or podiatrist:

M. Completes ten continuing education credits over a 5–year period relating to the preparing and dispensing of prescription drugs, offered by the Accreditation Council for Pharmacy Education (ACPE) or as approved by the Secretary, in consultation with each respective board of licensure, as a condition of permit renewal;

(III) A LICENSED PHYSICIAN FROM DISPENSING A TOPICAL MEDICATION WITHOUT OBTAINING THE PERMIT REQUIRED UNDER ITEM (II)1C OF THIS PARAGRAPH OR COMPLETING THE CONTINUING EDUCATION REQUIRED UNDER ITEM (II)4M OF THIS PARAGRAPH WHEN THE PHYSICIAN:

1. OTHERWISE COMPLIES WITH ITEM (II) OF THIS PARAGRAPH; AND

2. HAS OBTAINED A SPECIAL WRITTEN PERMIT UNDER § 14-509 OF THIS ARTICLE;

14-509.”;

in line 6, strike “(K) (1)” and substitute “(A)”; strike beginning with “SUBSECTION” in line 6 down through “TOPICAL.” in line 11 and substitute “SECTION, “ACCME” MEANS THE ACCREDITING COUNCIL FOR CONTINUING MEDICAL EDUCATION.”

(B) A PHYSICIAN MAY DISPENSE A TOPICAL MEDICATION THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE TREATMENT OF HYPOTICHOSIS WITHOUT OBTAINING A DISPENSING PERMIT OR COMPLETING THE CONTINUING EDUCATION REQUIRED UNDER § 12-102(C)(2)(II) OF THIS ARTICLE IF THE PHYSICIAN:

(1) OTHERWISE COMPLIES WITH THE REQUIREMENTS OF § 12-102(C)(2)(II) OF THIS ARTICLE; AND

(2) HAS RECEIVED A SPECIAL CLASS OF WRITTEN PERMIT FROM THE BOARD.

(C) THE BOARD MAY ISSUE A SPECIAL CLASS OF WRITTEN PERMIT TO A PHYSICIAN UNDER SUBSECTION (B) OF THIS SECTION IF THE PHYSICIAN:

(1) COMPLETES 1 HOUR OF CONTINUING MEDICAL EDUCATION PER YEAR ON THE DISPENSING OF TOPICAL MEDICATIONS DEVELOPED BY AN ACCME-ACCREDITED MARYLAND NONPROFIT OR GOVERNMENTAL ENTITY; AND

(2) PAYS TO THE BOARD A \$100 PERMIT FEE.”;

(Over)

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strike in their entirety lines 12 through 28, inclusive; and in line 29, strike “2.” and substitute “3”.