

Chapter 802

(Senate Bill 298)

AN ACT concerning

**State Board of Pharmacy – Pharmacy Closure – Notice to Customers
(The Dennis Robin Act)**

FOR the purpose of requiring an owner of a pharmacy to ~~post or mail a~~ provide certain notice of a closing of the pharmacy within a certain period of time; requiring the notice to include certain information; requiring the State Board of Pharmacy to adopt certain regulations; and generally relating to the closing of a pharmacy.

BY adding to

Article – Health Occupations
Section 12–513
Annotated Code of Maryland
(2014 Replacement Volume and 2020 Supplement)

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

Article – Health Occupations

12–513.

(A) BEFORE THE CLOSING OF A PHARMACY FOR MORE THAN 7 CONSECUTIVE DAYS, AT LEAST 14 DAYS BEFORE THE ANTICIPATED CLOSING OF THE PHARMACY, THE OWNER OF THE PHARMACY SHALL PROVIDE NOTICE OF THE CLOSING BY:

~~(1) AT LEAST 30 DAYS BEFORE THE ANTICIPATED CLOSING OF THE PHARMACY, POSTING:~~

~~(1)~~ (1) POSTING A NOTICE:

~~(1)~~ 1. (I) THAT IS CONSPICUOUSLY POSITIONED IN THE PHARMACY AND READABLE BY PHARMACY CUSTOMERS; AND

~~(1)~~ 2. (II) IF APPLICABLE, ON THE PHARMACY’S WEBSITE;
AND

~~(1)~~ (2) PROVIDING WRITTEN AND VERBAL NOTICE TO EACH CUSTOMER WHO PICKS UP A PRESCRIPTION OR REFILL; ~~OR~~

~~(2) AT LEAST 14 DAYS BEFORE THE ANTICIPATED CLOSING OF THE PHARMACY, MAILING A NOTICE TO EACH PHARMACY CUSTOMER THAT HAS A CURRENT AND AUTHORIZED REFILL OF A PRESCRIPTION ON FILE WITH THE PHARMACY.~~

(B) EACH NOTICE ~~POSTED OR MAILED IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION~~ SHALL INDICATE:

(1) THE DATE OF THE ANTICIPATED CLOSING OF THE PHARMACY, IF AVAILABLE;

(2) THE NAME OF THE PHARMACY TO WHICH THE CLOSING PHARMACY WILL TRANSFER PHARMACY CUSTOMERS' PRESCRIPTIONS AND RECORDS; AND

(3) THAT A PHARMACY CUSTOMER MAY REQUEST THE CLOSING PHARMACY TO SEND THE PHARMACY CUSTOMER'S PRESCRIPTIONS AND RECORDS TO ANOTHER PHARMACY.

(C) THE BOARD SHALL ADOPT REGULATIONS TO:

(1) DEFINE "CLOSING OF A PHARMACY"; AND

(2) PROVIDE EXCEPTIONS TO THE REQUIREMENTS OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.