

Department of Legislative Services  
Maryland General Assembly  
2021 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 14

(Delegate Kerr)

Health and Government Operations

Education, Health, and Environmental Affairs

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**Pharmacists - Prescription Drug and Device Labels - Expiration Dates**

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This emergency bill specifies, for drugs and devices dispensed by a pharmacist in the manufacturer's original packaging, that the expiration date included on the label must be (1) the expiration date set by the manufacturer or (2) a shorter period as determined by the pharmacist.

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**Fiscal Summary**

**State Effect:** The bill does not substantively change State activities or operations.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** Except for a drug or device dispensed to an inpatient in a hospital or related institution, each drug or device dispensed must be labeled in a specified manner. In addition to any other information required by law, the label must include the date filled and, unless otherwise required by the prescriber, an expiration date that must be the lesser of:

- one year from the date of dispensing;
- the month and year when the drugs or devices expire;
- the appropriate expiration date for repackaged drugs or devices; or
- a shorter period as determined by the pharmacist.

Any appropriate special handling instructions regarding proper storage and the name and strength of the drugs or devices must also be included, as specified. In general, the label must indicate the same name for the drug or device as that used by the authorized prescriber.

If an authorized prescriber dispenses a drug or device, the prescriber must label each container, including an expiration date of the drugs or devices, which must be the lesser of:

- one year from the date of dispensing;
- the month and year when the drugs or devices expire; or
- a shorter period as determined by the authorized prescriber.

Labeling requirements do not apply if the authorized prescriber dispenses the drug or device (1) to an inpatient in a hospital or related institution; (2) in an emergency situation; or (3) as a sample drug or device dispensed in the regular course of the authorized prescriber's practice.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Maryland Department of Health; Department of Legislative Services

**Fiscal Note History:** First Reader - January 13, 2021  
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