

SB0778/993324/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 778
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike the first comma and substitute “**and**”; strike beginning with “, **and**” in line 2 down through “**Medicine**” in line 3; strike beginning with “exempting” in line 7 down through “medicine” in line 10 and substitute “prohibiting an individual from being required to obtain a license, certification, or authorization to practice under certain provisions of law to own or have an ownership interest in a clinical research pharmacy; authorizing certain health occupations boards to investigate certain allegations, under certain circumstances”; in line 14, strike “and 14–101(a)”; in line 24, strike the first comma and substitute “and”; and in the same line, strike “, and 14–101(o)”.

AMENDMENT NO. 2

On page 5, in line 11, after “(E)” insert “EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL MAY NOT BE REQUIRED TO OBTAIN A LICENSE, CERTIFICATION, OR OTHER AUTHORIZATION TO PRACTICE UNDER THIS ARTICLE TO OWN OR HAVE AN OWNERSHIP INTEREST IN A CLINICAL RESEARCH PHARMACY.”

(F) (1) THE OWNERSHIP OR POSSESSION OF AN OWNERSHIP INTEREST IN A CLINICAL RESEARCH PHARMACY BY AN INDIVIDUAL WHO IS NOT LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED TO PRACTICE UNDER THIS ARTICLE MAY NOT BE THE SOLE BASIS FOR THE BOARD TO INITIATE A DISCIPLINARY ACTION AGAINST THE INDIVIDUAL.

(2) THE APPLICABLE HEALTH OCCUPATIONS BOARD MAY INVESTIGATE AN ALLEGATION THAT AN INDIVIDUAL EMPLOYED BY A CLINICAL RESEARCH PHARMACY:

(I) IS PRACTICING A PROFESSION REGULATED BY THE HEALTH OCCUPATIONS BOARD UNDER THIS ARTICLE WITHOUT A LICENSE, CERTIFICATE, OR OTHER AUTHORIZATION OR WITH AN UNAUTHORIZED PERSON;
OR

(II) HAS VIOLATED A PROVISION OF THIS ARTICLE UNDER THE JURISDICTION OF THE HEALTH OCCUPATIONS BOARD.

(G) A HEALTH CARE PROVIDER WITH A SUBSTANTIAL OWNERSHIP INTEREST IN A CLINICAL RESEARCH PHARMACY MAY NOT:

(1) SERVE AS A CLINICAL INVESTIGATOR FOR A SCIENTIFIC RESEARCH PROTOCOL CONDUCTED BY THE CLINICAL RESEARCH PHARMACY; OR

(2) IMPEDE OR IMPAIR A PHARMACIST'S ABILITY TO FULLY EXERCISE THE PHARMACIST'S PROFESSIONAL JUDGMENT.

(H)".

On pages 5 and 6, strike in their entirety the lines beginning with line 17 on page 5 through line 26 on page 6, inclusive.