

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

House Bill 1270 (Delegate Frush)
Economic Matters

Health Care Facilities and Pharmacies - Sale of Tobacco Products - Prohibition

This bill establishes that, as a condition of licensure, tobacco products may not be sold in a hospital or related institution or a nursing home. The bill also prohibits a pharmacy for which a pharmacy permit has been issued from selling tobacco products in the pharmacy. In addition, the bill requires the Secretary of Health and Mental Hygiene to adopt regulations prohibiting the sale of tobacco products in a freestanding medical facility (as a standard associated with licensure) or in a freestanding ambulatory care facility or a hospice facility (as a standard of operation).

Fiscal Summary

State Effect: The bill's requirements can likely be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: Assuming that the bill restricts the sale of tobacco products in a pharmacy, rather than in a store in which a pharmacy is located, any impact to small businesses is expected to be minimal.

Analysis

Current Law/Background: Hospitals and related institutions, freestanding medical facilities, ambulatory care facilities, and nursing homes are licensed and inspected by the Office of Health Care Quality within the Department of Health and Mental Hygiene. The State Board of Pharmacy inspects and issues permits to pharmacies in the State.

The extent to which any of the aforementioned entities engages in the sale of tobacco products is unclear. However, a person must be licensed by the Comptroller in order to sell tobacco products.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - March 12, 2013
ncs/ljm

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