

HOUSE BILL 591

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5lr2071
CF SB 1

By: **Delegates Miele, Hayes, Krebs, Pena–Melnyk, and Saab**

Introduced and read first time: February 12, 2015

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Pharmacists – Refills of Prescriptions During State of**
3 **Emergency**

4 FOR the purpose of altering the circumstances under which a pharmacist, during a state
5 of emergency, may refill a prescription for a drug for which the refill has not been
6 authorized; providing that a pharmacist who is working in Maryland, instead of the
7 area declared an emergency, may refill the prescription if the federal or any state
8 government, instead of the federal or this State’s government, declares a state of
9 emergency; increasing the maximum quantity of the drug that may be dispensed
10 under the prescription refill; and generally relating to refills of prescriptions during
11 a state of emergency.

12 BY repealing and reenacting, without amendments,
13 Article – Health Occupations
14 Section 1–101(a) and (k)
15 Annotated Code of Maryland
16 (2014 Replacement Volume)

17 BY repealing and reenacting, with amendments,
18 Article – Health Occupations
19 Section 12–506(c)
20 Annotated Code of Maryland
21 (2014 Replacement Volume)

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

24 **Article – Health Occupations**

25 1–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this article the following words have the meanings indicated.

2 (k) "State" means:

3 (1) A state, possession, or territory of the United States;

4 (2) The District of Columbia; or

5 (3) The Commonwealth of Puerto Rico.

6 12-506.

7 (c) If the federal or [State] A STATE government declares a state of emergency, a
8 pharmacist working in [the area declared an emergency] MARYLAND may refill a
9 prescription for a drug for which the refill has not been authorized if:

10 (1) As a result of the emergency, the pharmacist is unable to obtain an
11 authorization from the authorized prescriber;

12 (2) The refill of the prescription is not for a controlled dangerous substance;

13 (3) The quantity dispensed does not exceed a [14-day] 30-DAY supply or
14 unit of use; and

15 (4) The pharmacist notifies the authorized prescriber of the refill of the
16 prescription within 7 days of dispensing the drug.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 2015.