

# SENATE BILL 1

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(PRE-FILED)

5lr0626  
CF 5lr2071

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By: **Senator Conway**

Requested: November 18, 2014

Introduced and read first time: January 14, 2015

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 10, 2015

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## CHAPTER \_\_\_\_\_

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)

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Health Occupations**

4 1–101.

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

6 (k) “State” means:

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

8 (2) The District of Columbia; or

9 (3) The Commonwealth of Puerto Rico.

10 12–506.

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

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

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

17 (3) The quantity dispensed does not exceed a [14–day] **30–DAY** supply or  
18 unit of use; and

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

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