

May 26, 2017

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
H-107 State House
Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 997 – *Pharmacists – Substitution and Dispensing of Biological Products*.

This bill authorizes a pharmacist to substitute an interchangeable biological product for a brand name drug under certain circumstances, and requires a pharmacist or the pharmacist's designee to inform consumers of the availability of an interchangeable biological product, as well as the approximate cost difference. This bill also requires a pharmacist who makes a certain substitution to notify the patient in writing that a certain product is interchangeable, and to notify the prescriber of the specific biological product dispensed. In addition, this bill authorizes the Department of Health and Mental Hygiene to disqualify an interchangeable biological product from being used as a substitute, requires the Department to provide an opportunity for public comment under certain circumstances, and provides that a pharmacist who substitutes an interchangeable biological product in compliance with certain provisions of law incurs no greater liability than would be incurred in filling the prescription by dispensing a certain drug or device.

House Bill 1273, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 997.

Sincerely,

Lawrence J. Hogan, Jr.
Governor