

SENATE BILL 940

J2

3lr2994
CF HB 456

By: **Senators Muse, McCray, and Jackson**

Introduced and read first time: February 20, 2023

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Pharmacies – Prescription Drugs – Accessible Labels for Blind, Visually**
3 **Impaired, and Print Disabled Individuals**

4 FOR the purpose of requiring pharmacies to provide notice to customers of the availability
5 of accessible labels for blind, visually impaired, or otherwise print disabled
6 individuals for prescription drugs and to provide the selected label on request;
7 establishing certain standards for accessible labels and prescription readers to be
8 used with accessible labels; and generally relating to pharmacies and accessible
9 labels for prescription drugs.

10 BY adding to

11 Article – Health Occupations

12 Section 12–505.1

13 Annotated Code of Maryland

14 (2021 Replacement Volume and 2022 Supplement)

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

17 **Article – Health Occupations**

18 **12–505.1.**

19 (A) IN THIS SECTION, “PRESCRIPTION READER” MEANS A DEVICE THAT IS
20 DESIGNED TO AUDIBLY CONVEY INFORMATION CONTAINED ON THE LABEL OF A
21 PRESCRIPTION DRUG.

22 (B) EACH PHARMACY SHALL PROVIDE NOTICE TO CUSTOMERS THAT AN
23 ACCESSIBLE LABEL FOR BLIND, VISUALLY IMPAIRED, OR OTHERWISE PRINT
24 DISABLED INDIVIDUALS IS AVAILABLE ON REQUEST FOR NO ADDITIONAL COST BY:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) POSTING A NOTICE THAT IS ACCESSIBLE TO BLIND, VISUALLY**
2 **IMPAIRED, OR OTHERWISE PRINT DISABLED INDIVIDUALS:**

3 **(I) THAT IS CONSPICUOUSLY POSITIONED IN THE PHARMACY**
4 **AND READABLE BY PHARMACY CUSTOMERS; AND**

5 **(II) IF APPLICABLE, ON THE PHARMACY'S WEBSITE; AND**

6 **(2) PROVIDING VERBAL NOTICE TO EACH CUSTOMER WHO PICKS UP**
7 **A PRESCRIPTION OR REFILL.**

8 **(C) ON REQUEST OF A CUSTOMER FOR AN ACCESSIBLE LABEL, THE**
9 **PHARMACIST SHALL:**

10 **(1) EXPLAIN TO THE CUSTOMER THE AVAILABLE ACCESSIBLE LABEL**
11 **FORMAT OPTIONS; AND**

12 **(2) PROVIDE THE ACCESSIBLE LABEL THAT IS SELECTED BY THE**
13 **CUSTOMER.**

14 **(D) AN ACCESSIBLE LABEL SHALL:**

15 **(1) PRESERVE THE INTEGRITY OF THE PRINT PRESCRIPTION DRUG**
16 **CONTAINER LABEL;**

17 **(2) CONTAIN ALL THE LABEL INFORMATION REQUIRED UNDER §**
18 **12-505 OF THIS SUBTITLE AND FEDERAL LAW IN THE SAME SEQUENCE AS THE PRINT**
19 **LABEL, INCLUDING WARNINGS AND CAUTIONS;**

20 **(3) BE DURABLE AND LAST UNTIL THE PRESCRIPTION EXPIRATION**
21 **DATE;**

22 **(4) BE PROVIDED WITHIN A TIME FRAME COMPARABLE TO**
23 **INFORMATION PROVIDED TO OTHER CUSTOMERS WITHOUT A VISUAL IMPAIRMENT;**
24 **AND**

25 **(5) CONFORM TO THE BEST PRACTICES ESTABLISHED BY THE**
26 **FEDERAL U.S. ACCESS BOARD.**

27 **(E) A PRESCRIPTION READER PROVIDED BY A PHARMACY SHALL BE:**

1 **(1) COMPATIBLE WITH AN ACCESSIBLE LABEL PROVIDED TO A**
2 **CUSTOMER BY THE PHARMACY; AND**

3 **(2) AVAILABLE TO A CUSTOMER USING AN ACCESSIBLE LABEL FOR**
4 **THE DURATION OF THE PRESCRIPTION.**

5 **(F) THE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2023.