

SENATE BILL 370

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By: **Senator Della**

Introduced and read first time: January 28, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Pharmacies – Delivery of Controlled Dangerous Substances**

3 FOR the purpose of requiring certain pharmacies to require an adult to sign for the
4 delivery of a controlled dangerous substance to a residence; and generally
5 relating to pharmacies and the delivery of controlled dangerous substances.

6 BY repealing and reenacting, with amendments,
7 Article – Health Occupations
8 Section 12–403(b)(17)
9 Annotated Code of Maryland
10 (2009 Replacement Volume)

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

13 **Article – Health Occupations**

14 12–403.

15 (b) Except as otherwise provided in this section, a pharmacy for which a
16 pharmacy permit has been issued under this title:

17 (17) With regard to a prescription drug that is delivered in this State by
18 the United States mail, a common carrier, or a delivery service and is not personally
19 hand delivered directly to a patient or to the agent of the patient at the residence of
20 the patient or at another location designated by the patient, shall:

21 (i) Provide a general written notice in each shipment of a
22 prescription drug that alerts a consumer that, under certain circumstances, a

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 medication's effectiveness may be affected by exposure to extremes of heat, cold, or
2 humidity; [and]

3 (ii) Provide a specific written notice in each shipment of a
4 prescription drug that provides a consumer with a toll-free or local consumer access
5 telephone number accessible during regular hours of operation, which is designed to
6 respond to consumer questions pertaining to medications; AND

7 (iii) **REQUIRE AN ADULT TO SIGN FOR THE DELIVERY OF A**
8 **PRESCRIPTION DRUG THAT IS A CONTROLLED DANGEROUS SUBSTANCE, AS**
9 **DEFINED IN § 5-101 OF THE CRIMINAL LAW ARTICLE, TO A RESIDENCE;**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2010.