

HOUSE BILL 826

J1, J2

6lr3019

By: **Delegates Adams, Buckel, Impallaria, and McConkey**

Introduced and read first time: February 8, 2016

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Prescription Drug Repository Program – Repository Inventory Requirement –**
3 **Revision**

4 FOR the purpose of requiring a repository that participates in the Prescription Drug
5 Repository Program to maintain a separate inventory of donated prescription drugs
6 and medical supplies that the repository intends to dispense under a certain
7 provision of law, instead of a separate inventory of all donated prescription drugs
8 and medical supplies; and generally relating to the Prescription Drug Repository
9 Program.

10 BY repealing and reenacting, without amendments,
11 Article – Health – General
12 Section 15–601(a), (b), (d), and (e)
13 Annotated Code of Maryland
14 (2015 Replacement Volume)

15 BY repealing and reenacting, with amendments,
16 Article – Health – General
17 Section 15–605
18 Annotated Code of Maryland
19 (2015 Replacement Volume)

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

22 **Article – Health – General**

23 15–601.

24 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) “Board” means the State Board of Pharmacy.

2 (d) “Program” means the Prescription Drug Repository Program.

3 (e) “Repository” means a licensed pharmacy that:

4 (1) Does not have a final disciplinary order issued against it by the Board
5 of Pharmacy;

6 (2) Has voluntarily agreed to participate in the Program; and

7 (3) Has been approved by the Board to:

8 (i) Accept donated prescription drugs or medical supplies from a
9 designated drop-off site;

10 (ii) Dispense the donated prescription drugs or medical supplies to
11 needy individuals; or

12 (iii) Dispose of prescription drugs or medical supplies not accepted for
13 dispensing to needy individuals.

14 15–605.

15 (a) The Board may approve Medbank of Maryland, Inc., or another licensed
16 pharmacy, to be a repository.

17 (b) Consistent with its approval by the Board, a repository shall:

18 (1) Accept only donated prescription drugs and medical supplies forwarded
19 by designated drop-off sites;

20 (2) Inspect all donated prescription drugs and medical supplies;

21 (3) Accept for dispensing to needy individuals only those donated
22 prescription drugs and medical supplies that meet the requirements of § 15–603 of this
23 subtitle;

24 (4) Dispose of donated prescription drugs and medical supplies not
25 accepted for dispensing to needy individuals in accordance with State and federal law;

26 (5) Maintain a separate inventory of donated prescription drugs and
27 medical supplies **THAT THE REPOSITORY INTENDS TO DISPENSE UNDER SUBSECTION**
28 **(C) OF THIS SECTION;**

29 (6) Store donated prescription drugs and medical supplies in a secure
30 location used exclusively for the Program;

1 (7) Maintain separate prescription files for patients receiving donated
2 prescription drugs and medical supplies; and

3 (8) Obliterate from the labels of donated prescription drugs and medical
4 supplies any information specific to the patient for whom the donated prescription drugs
5 and medical supplies were originally dispensed.

6 (c) A repository shall dispense donated prescription drugs and medical supplies
7 only:

8 (1) To an individual who meets the requirements of § 15-606 of this
9 subtitle;

10 (2) On a new prescription, in the case of a prescription drug or medical
11 supply that requires a prescription; and

12 (3) In accordance with State and federal laws pertaining to:

13 (i) Storage, distribution, and dispensing of prescription drugs; and

14 (ii) Confidentiality of patient information.

15 (d) A repository may:

16 (1) Charge a fee, not to exceed \$10, for each prescription drug or medical
17 supply dispensed; and

18 (2) Dispense a donated prescription drug or medical supply by mail,
19 provided that the repository informs the patient that a delay may be entailed.

20 (e) A repository may not establish or maintain a waiting list for any prescription
21 drug or medical supply dispensed by the Program.

22 (f) A pharmacy may accept prescription drugs and medical supplies taken to the
23 pharmacy for disposal only if the pharmacy is approved by the Board as a repository for
24 this purpose.

25 (g) The Program may not require a private entity to establish, operate, or fund a
26 drop-off site or disposal program.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2016.