

(III) IDENTIFYING AND APPRAISING PROBLEMS
CONCERNING THE USE OR MONITORING OF DRUG THERAPY.

(2) "PRACTICE PHARMACY" DOES NOT INCLUDE THE OPERATIONS OF A PERSON WHO HOLDS A PERMIT ISSUED UNDER §§ 12-601 AND 12-602 OF THIS TITLE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from the first paragraph -- except items (2) and (3) of that paragraph -- and the third paragraph of Art. 43, § 250(a).

The definition is stated in the infinitive form to permit minor verb variations of the defined phrase, without taking these variations out of the scope of the definition.

As to paragraph (1) of this subsection, the Commission to Revise the Annotated Code revised the present phrase "the 'practice of pharmacy' is the practice that may include" to read, "'practice of pharmacy' means to engage in any of the following activities". Research revealed that the present term "may include" was used only to indicate the disjunctive relationship of the listed activities. The new language retains that relationship, but directly states those activities that are considered to be within the practice of pharmacy.

In paragraph (2) of this section, the phrase "person who holds a permit issued under §§ 12-601 and 12-602 of this title" is substituted for the present phrase "manufacturer or wholesaler as prescribed in § 269 and § 270A of Article 43..." to clarify whose activities are not included in "practice pharmacy".

12-102. SCOPE OF TITLE.

(A) IN GENERAL.

THIS TITLE DOES NOT LIMIT THE RIGHT OF AN INDIVIDUAL TO PRACTICE A HEALTH OCCUPATION THAT THE INDIVIDUAL IS AUTHORIZED TO PRACTICE UNDER THIS ARTICLE.

(B) PREPARING OF PRESCRIPTIONS BY AUTHORIZED PRESCRIBER.

THIS TITLE DOES NOT PROHIBIT AN AUTHORIZED PRESCRIBER FROM PERSONALLY PREPARING AND DISPENSING THE AUTHORIZED PRESCRIBER'S PRESCRIPTIONS.

(C) NONPRESCRIPTION SALES BY GENERAL MERCHANTS.

THIS TITLE DOES NOT LIMIT THE RIGHT OF A GENERAL MERCHANT TO SELL: