

As to who may establish or operate a pharmacy in this State, see Subtitle 5 of this title.

12-402. QUALIFICATIONS OF APPLICANTS.

TO QUALIFY FOR A PHARMACY PERMIT, AN APPLICANT SHALL SATISFY THE BOARD THAT THE PHARMACY FOR WHICH THE APPLICATION IS MADE WILL BE OPERATED IN ACCORDANCE WITH THE STANDARDS SPECIFIED IN § 12-403 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from the introductory phrase of Art. 43, § 268(b).

As to the balance of present Art. 43, § 268(b), see § 12-403 of this subtitle and its revisor's note.

12-403. REQUIRED STANDARDS.

(A) IN GENERAL.

EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A PHARMACY FOR WHICH A PHARMACY PERMIT HAS BEEN ISSUED UNDER THIS TITLE:

(1) SHALL BE OPERATED IN COMPLIANCE WITH THE LAW AND WITH THE RULES AND REGULATIONS OF THE BOARD;

(2) SHALL BE LOCATED AND EQUIPPED SO THAT THE PHARMACY MAY BE OPERATED WITHOUT ENDANGERING THE PUBLIC HEALTH OR SAFETY;

(3) SHALL BE CONSTANTLY UNDER THE PERSONAL AND IMMEDIATE SUPERVISION OF A LICENSED PHARMACIST;

(4) SHALL PROVIDE COMPLETE PHARMACEUTICAL SERVICE BY PREPARING AND DISPENSING ALL PRESCRIPTIONS THAT REASONABLY MAY BE EXPECTED OF A PHARMACIST;

(5) EXCEPT FOR A HOSPITAL PHARMACY, SHALL PROVIDE SERVICES TO THE GENERAL PUBLIC AND MAY NOT RESTRICT OR LIMIT ITS SERVICES TO ANY GROUP OF INDIVIDUALS;

(6) MAY NOT OFFER PHARMACEUTICAL SERVICES UNDER ANY TERM OR CONDITION THAT TENDS TO INTERFERE WITH OR IMPAIR THE FREE AND COMPLETE EXERCISE OF PROFESSIONAL PHARMACEUTICAL JUDGMENT OR SKILL;

(7) MAY NOT MAKE ANY AGREEMENT THAT DENIES A PATIENT A FREE CHOICE OF PHARMACISTS; AND

(8) MAY NOT PARTICIPATE IN ANY ACTIVITY THAT IS A GROUND FOR BOARD ACTION AGAINST A LICENSED PHARMACIST UNDER § 12-311 OF THIS TITLE.