

(B) EXCEPTION.

THE BOARD MAY WAIVE ANY OF THE REQUIREMENTS OF THIS SECTION FOR THE UNIVERSITY OF MARYLAND SCHOOL OF PHARMACY, FOR RADIO PHARMACY AND DENTAL PHARMACY EXPERIMENTAL AND TEACHING PROGRAMS.

REVISOR'S NOTE: Subsection (a) of this section is new language derived without substantive change from the first paragraph of Art. 43, § 268(b) -- except the introductory phrase, which now appears in § 12-402 of this subtitle. As it is presently drafted, the first paragraph of Art. 43, § 268(b) literally appears to specify only qualifications that an applicant must meet to obtain a pharmacy permit. However, close examination of the present law demonstrates that the substance of these provisions is concerned at least equally (if not much more) with standards of conduct required for retaining a pharmacy permit -- a concept comparable to that of listing grounds for which a license may be suspended or revoked under § 12-311 of this title. Therefore, the dual function of the standards specified in the first paragraph of present Art. 43, § 268(b) is reflected by the reference to these standards under the qualifications provision of § 12-402 of this subtitle and by the combined reading of this section together with the suspension and revocation provisions of § 12-409 of this subtitle.

Subsection (b) of this section is new language derived without substantive change from Art. 43, § 268A.

In subsection (a)(4) of this section, the reference to "preparing" prescriptions is substituted for the reference to "compounding" prescriptions to conform with the terminology used in the definition of "practice pharmacy" in § 12-101 of this title.

Subsection (a)(8) of this section is derived from present Art. 43, § 268(b)(g), which references a violation of "any of the provisions of § 266A(c)(4) of this article". However, Art. 43, § 266A(c)(4), which set forth a number of grounds as "unprofessional conduct" by a pharmacist, was repealed by Ch. 325, Acts of 1978. The original intent behind present Art. 43, § 268(b)(g) was to provide a mechanism by which a pharmacy could be held accountable for its participation in any activity that was listed as "unprofessional conduct" by a pharmacist. In its reenactment of present Art. 43, § 266A, Ch. 325, Acts of 1978 eliminated the distinction between the grounds