

PRODUCT THAN WOULD BE INCURRED IN FILLING THE PRESCRIPTION BY DISPENSING THE PRESCRIBED BRAND NAME DRUG.

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 273A.

As to subsection (a) of this section, present Art. 43, § 273A(a)(3), which defines "established name", is deleted because that term is not used anywhere in the text of present Art. 43, § 273A.

In subsection (b)(1) of this section, the phrase "dispensed only as directed" is substituted for the phrase "dispensed as directed", for clarity.

Subsection (b)(2) and the first sentence of subsection (d) of this section are revised to provide expressly that this section authorizes the substitution of a drug product only if the substitution is listed in the formulary published by the Department.

12-509. PRICE CHART OF COMMONLY PRESCRIBED DRUGS.

(A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "PRESCRIPTION PRICE" MEANS THE ACTUAL PRICE CHARGED A CONSUMER BY A PHARMACY FOR A PRESCRIPTION DRUG OF A STATED STRENGTH AND QUANTITY, EXCLUDING THE CHARGE FOR ANY PROFESSIONAL OR CONVENIENCE SERVICES.

(3) "PROFESSIONAL OR CONVENIENCE SERVICES" INCLUDE:

- (I) MAINTENANCE OF PATIENT DRUG PROFILES;
- (II) PATIENT CONSULTATIONS;
- (III) COMPOUNDING OF PRESCRIPTIONS;
- (IV) EMERGENCY PRESCRIPTION SERVICES;
- (V) DELIVERY SERVICE; AND
- (VI) CHARGE ACCOUNT SERVICES.

(B) COMPILATION OF CHART.

(1) AT LEAST ONCE A YEAR, THE BOARD SHALL DRAFT, PUBLISH, AND DISTRIBUTE TO EACH PHARMACY IN THIS STATE A CHART THAT MEETS THE REQUIREMENTS OF THIS SECTION.

(2) THE CHART SHALL BE PUBLISHED ON MATERIAL SUITABLE FOR DISPLAY AND PRINTED IN A TYPE SIZE AND STYLE THAT EASILY MAY BE READ AT A REASONABLE DISTANCE.