

## SUBTITLE 8. SHORT TITLE; TERMINATION OF TITLE.

## 12-801. SHORT TITLE.

THIS TITLE MAY BE CITED AS THE "MARYLAND PHARMACY ACT".

REVISOR'S NOTE: This section is new language added to conform to similar sections in other titles of this article and to provide a convenient reference to this title.

## 12-802. TERMINATION OF TITLE.

SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THE REGULATORY PROGRAMS EVALUATION ACT OF 1978, THIS TITLE AND ALL RULES AND REGULATIONS ADOPTED UNDER THIS TITLE SHALL TERMINATE AND BE OF NO EFFECT AFTER JULY 1, 1983.

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

Present Art. 43, § 273B reads as follows: "Sections 249 through 271 of this subtitle creating the Maryland Board of Pharmacy and relating to the regulation of pharmacists are of no effect and may not be enforced after July 1, 1983." While the phrase "relating to the regulation of pharmacists" can be taken as a statement of limitation that would limit the application of this provision only to the sections of this title that relate to the creation of the Board and to pharmacists, the Commission to Revise the Annotated Code has interpreted the phrase as a general, albeit imprecise, descriptive reference to the contents of the cited sections. To interpret the provision otherwise would give rise to the anomaly of providing that the Board and all of the provisions regarding pharmacists, which the Board regulates, are subject to review and possible termination, but that the provisions regarding pharmacies would not be reviewed and would remain in effect even if the other provisions were terminated. Since the functions of a pharmacy are regulated by the Board in much the same manner as are those of a pharmacist, and since a pharmacy may not be operated without the supervision of a licensed pharmacist, this result would be nonsensical. Therefore, the Commission has revised this section to apply clearly to this entire title.

As to the Regulatory Programs Evaluation Act of 1978, see Art. 41, § 484 et seq. of the Code.