

GENERAL REVISOR'S NOTE:

Some of the provisions in the present subtitle of Art. 43 entitled "Commissioners of Pharmacy", §§ 249-273B, refer to a pharmacist handling "drugs, medicines, and devices", but other provisions of that subtitle, for no discernible reason, refer to only one or two of the three categories of items. The apparent legislative intent, as particularly evidenced by the 1978 redefinition of "practice of pharmacy" (Ch. 300, Acts of 1978), which includes all three categories, is that references in the present law to one or two of the three categories actually apply to all three. Therefore, throughout this title, wherever one or two of the three categories are mentioned expressly without any discernible reason for the exclusion of the other one or two categories, any omitted category has been added in the revision.

Similarly, the present subtitle of Art. 43 entitled "Commissioners of Pharmacy" in some provisions refers to a person whose prescription a licensed pharmacist may fill using the term "authorized prescriber", or a similar term, but in other provisions makes express reference to all or part of the litany "licensed physician, dentist, podiatrist, or veterinarian". There does not appear to be any reason for these variations. Therefore, throughout this title, the term "authorized prescriber" -- which is defined in § 12-101 of this title -- is substituted for the present unnecessarily diverse references to those who may issue prescriptions. Although the substituted term is in some instances broader than the present reference, this approach appears to be consistent with the legislative intent behind the present law. No substantive change is intended.

Two sections that presently are included in the subtitle of Art. 43 entitled "Commissioners of Pharmacy", §§ 272 and 273, have not been incorporated into the revision of this title. Those two sections, which concern (1) sale of drugs, medicines, and preparations by vending machine, and (2) "medicine shows" or "patent medicine shows", respectively, are, in the judgment of the Commission to Revise the Annotated Code, more appropriately included elsewhere and the Commission intends that they will be revised along with the other parts of Art. 43 that do not directly address health occupations.

In revising this title, the Commission deleted, in addition to those provisions noted as being deleted in the revisor's notes to various sections of this title, present Art. 43, §§ 256 and 270. These two sections, both of which provide for the severability of certain other sections, are unnecessary in light of Art. 1, § 23 of the Code.

TITLE 13. PHYSICAL THERAPISTS.

SUBTITLE 1. DEFINITIONS; GENERAL PROVISIONS.