

A PERSON WHO VIOLATES ANY PROVISION OF THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$100 FOR THE FIRST OFFENSE AND NOT EXCEEDING \$500 FOR EACH SUBSEQUENT CONVICTION FOR A VIOLATION OF THE SAME PROVISION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 556C.

The reference to a "subsequent conviction for a violation of the same provision" is substituted for the reference to a "subsequent offense", for clarity.

Defined terms: "Hospital" § 19-301
 "Person" §§ 1-101 & 19-301
 "Related institution" § 19-301

19-357. PHARMACEUTICAL SUPPLIERS.

(A) OFFENSE.

A PERSON WHO OPERATES A HOSPITAL OR RELATED INSTITUTION MAY NOT ASK FOR OR RECEIVE ANY REBATE, COMMISSION, OR OTHER CONSIDERATION FROM A PHARMACY OR OTHER PROVIDER OF DRUGS, PRESCRIPTIONS, OR PHARMACEUTICAL SERVICES.

(B) CRIMINAL PENALTIES.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$500 AND IS SUBJECT TO SUSPENSION OR REVOCATION OF THE LICENSE.

(C) MEDICAL ASSISTANCE PROGRAM PARTICIPATION.

IN ADDITION TO THE PENALTIES PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE DEPARTMENT MAY DECLARE A PERSON WHO VIOLATES THIS SECTION TO BE INELIGIBLE TO PARTICIPATE IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM.

REVISOR'S NOTE: This section formerly appeared as Article 43, § 565D.

In subsection (b) of this section, the former reference to a "nursing home" is deleted in light of the use of the defined term "related institution".

The only other changes are in style.

The Commission to Revise the Annotated Code notes, for consideration by the General Assembly,