

reinstate a certain license under certain circumstances; and generally relating to the revocation of a license by the State Board of Pharmacy.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 5-702

Annotated Code of Maryland

(2002 Volume and 2005 Supplement)

BY repealing and reenacting, without amendments,

Article – Health Occupations

Section 12-313(a)

Annotated Code of Maryland

(2005 Replacement Volume)

BY adding to

Article – Health Occupations

Section 12-313(c)

Annotated Code of Maryland

(2005 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

**Article – Criminal Law**

5-702.

(a) (1) This subsection applies to a person engaged in the business of selling prescription drugs, controlled dangerous substances, medicines, chemicals, or preparations for medical use or of compounding or dispensing these in accordance with physicians' prescriptions.

(2) A person subject to this subsection may not knowingly sell or deliver to another a drug, medicine, chemical, or preparation for medicinal use that is recognized or authorized by the latest edition of the United States Pharmacopoeia and National Formulary or prepared according to the private formula of another that is:

(i) other or different from the prescription drug, controlled dangerous substance, medicine, chemical, or preparation that is ordered or called for by the person; or

(ii) except as authorized under § 12-504 of the Health Occupations Article, called for in a prescription of a physician or other authorized provider.

(b) Subsection (a) of this section applies to a person acting on the person's own behalf or as an agent or employee of some other person.