

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

Article - Health - General

SUBTITLE 2A. PRESCRIPTION DRUG MONITORING PROGRAM.

21-2A-01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "AUTHORIZED RECIPIENT" MEANS:

- (1) A DISPENSER;
- (2) A PRESCRIBER;
- (3) A FEDERAL LAW ENFORCEMENT AGENCY;
- (4) A STATE OR LOCAL LAW ENFORCEMENT AGENCY;
- (5) A LICENSING ENTITY;
- (6) THE MARYLAND MEDICAL AND PHARMACEUTICAL ASSISTANCE PROGRAMS;
- (7) A PATIENT WITH RESPECT TO INFORMATION ABOUT THE PATIENT;

OR

(8) ANY PERSON UNDER CONTRACT WITH THE DEPARTMENT CONCERNING THE OPERATION OF THE PROGRAM.

(C) "BOARD" MEANS THE ADVISORY BOARD ON PRESCRIPTION DRUG MONITORING.

(D) (1) "DISPENSER" MEANS A PERSON WHO DISPENSES A MONITORED PRESCRIPTION DRUG TO A PATIENT OR THE PATIENT'S AGENT IN THE STATE.

(2) "DISPENSER" INCLUDES A PERSON OPERATING BY MAIL OR OTHER MEANS FROM A PLACE OF BUSINESS OUTSIDE THE STATE.

(3) "DISPENSER" DOES NOT INCLUDE A LICENSED HOSPITAL PHARMACY THAT DISPENSES A MONITORED PRESCRIPTION DRUG FOR INPATIENT HOSPITAL CARE.

(E) "DISPENSES" HAS THE MEANING STATED IN § 12-101 OF THE HEALTH OCCUPATIONS ARTICLE.

~~(F) "DRUG OF CONCERN" MEANS A PRESCRIPTION DRUG THAT:~~

~~(1) DOES NOT CONTAIN A SUBSTANCE LISTED IN SCHEDULE II THROUGH SCHEDULE IV; AND~~

~~(2) IS DETERMINED BY THE SECRETARY TO PRESENT AN EMERGING THREAT IN THE STATE BECAUSE OF INCREASING ABUSE OR DIVERSION.~~