(f) For a drug, OR DEVICE, ~~OR DIAGNOSTIC~~ product that the Department has disqualified from being used in Maryland as a generic substitute under subsection (e) of this section, the Department shall provide an opportunity for public comment as provided in Title 10, Subtitle 1 of the State Government Article before reinstating the drug, OR DEVICE, ~~OR DIAGNOSTIC~~ product for use in Maryland as a generic substitute.

(g) A pharmacist who substitutes a drug, OR DEVICE, ~~OR DIAGNOSTIC~~ product in compliance with this section incurs no greater liability in filling the prescription by dispensing the equivalent drug, OR DEVICE, ~~OR DIAGNOSTIC~~ product than would be incurred in filling the prescription by dispensing the prescribed brand name drug, OR DEVICE, ~~OR DIAGNOSTIC~~.

[12–509.] 12–505.

(a) [In this section, "established name" has the meaning stated in the Federal Food, Drug, and Cosmetic Act.]

[(b)] Except for a [medication] DRUG, OR DEVICE, ~~OR DIAGNOSTIC~~ dispensed to an inpatient in a hospital or related institution, a pharmacist shall label each container of [medication] DRUGS, OR DEVICES, ~~OR DIAGNOSTICS~~ that the pharmacist dispenses.

[(c)] (B) In addition to any other information required by law, the pharmacist shall include on the label:

(1) The date the prescription is filled; and

(2) Unless otherwise required by the prescriber:

(i) [The month and year when the medication expires, if known;] AN EXPIRATION DATE OF THE DRUGS, OR DEVICES, ~~OR DIAGNOSTICS~~ WHICH SHALL BE THE LESSER OF:

1. 1 YEAR FROM THE DATE OF DISPENSING;

2. THE MONTH AND YEAR WHEN THE DRUGS, OR DEVICES, ~~OR DIAGNOSTICS~~ EXPIRE;

3. THE APPROPRIATE EXPIRATION DATE FOR REPACKAGED DRUGS, OR DEVICES, ~~OR DIAGNOSTICS~~; OR

4. A SHORTER PERIOD AS DETERMINED BY THE PHARMACIST;

(ii) Any appropriate special handling instructions regarding proper storage of the [medication] DRUGS, OR DEVICES, ~~OR DIAGNOSTICS~~; and

(iii) Subject to the provisions of subsection [(d)] (C) of this section, the name and strength of the [medication] DRUGS, OR DEVICES, ~~OR DIAGNOSTICS~~.

[(d)](C) (1) Except as provided in paragraph (2) of this subsection, the pharmacist shall indicate on the label the same name for the [medication] DRUG, OR DEVICE, ~~OR DIAGNOSTIC~~ as that used by the authorized prescriber.