

"Dispense" § 5-101

"Distribute" § 5-101

"Schedule V" § 5-101

SUBTITLE 6. CRIMES — CONTROLLED DANGEROUS SUBSTANCES AND
PARAPHERNALIA.

PART I. PRIMARY CRIMES.

5-601. POSSESSING OR ADMINISTERING CONTROLLED DANGEROUS SUBSTANCE.

(A) IN GENERAL.

EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON MAY NOT:

(1) POSSESS OR ADMINISTER TO ANOTHER A CONTROLLED DANGEROUS SUBSTANCE, UNLESS OBTAINED DIRECTLY OR BY PRESCRIPTION OR ORDER FROM AN AUTHORIZED PROVIDER ACTING IN THE COURSE OF PROFESSIONAL PRACTICE; OR

(2) OBTAIN OR ATTEMPT TO OBTAIN A CONTROLLED DANGEROUS SUBSTANCE, OR PROCURE OR ATTEMPT TO PROCURE THE ADMINISTRATION OF A CONTROLLED DANGEROUS SUBSTANCE BY:

(I) FRAUD, DECEIT, MISREPRESENTATION, OR SUBTERFUGE;

(II) THE COUNTERFEITING OR ALTERATION OF A PRESCRIPTION OR A WRITTEN ORDER;

(III) THE CONCEALMENT OF A MATERIAL FACT;

(IV) THE USE OF A FALSE NAME OR ADDRESS;

(V) FALSELY ASSUMING THE TITLE OF OR REPRESENTING TO BE A MANUFACTURER, DISTRIBUTOR, OR AUTHORIZED PROVIDER; OR

(VI) MAKING, ISSUING, OR PRESENTING A FALSE OR COUNTERFEIT PRESCRIPTION OR WRITTEN ORDER.

(B) INFORMATION NOT PRIVILEGED.

INFORMATION THAT IS COMMUNICATED TO A PHYSICIAN IN AN EFFORT TO OBTAIN A CONTROLLED DANGEROUS SUBSTANCE IN VIOLATION OF THIS SECTION IS NOT A PRIVILEGED COMMUNICATION.

(C) PENALTY.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 4 YEARS OR A FINE NOT EXCEEDING \$25,000 OR BOTH.