

(III) CONCEALING A MATERIAL FACT;

(IV) USING A FALSE NAME OR ADDRESS;

(V) FALSELY ASSUMING THE TITLE OF OR FALSELY REPRESENTING THAT THE PERSON IS A MANUFACTURER, DISTRIBUTOR, OR AUTHORIZED PROVIDER; OR

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

(E) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 2 YEARS OR A FINE NOT EXCEEDING \$1,000 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 300(b), (c), (e)(1), (g-1), and (h).

In subsection (a) of this section, the reference to an "authorized provider's" assistant is substituted for the former reference to a "practitioner's" assistant for consistency within this title.

In subsection (a)(1) of this section, the reference to a "distributor" is substituted for the former archaic reference to a "wholesale druggist" for clarity.

In subsection (a)(2) of this section, the former reference to an assistant who is not "legally" licensed is deleted as implicit in the reference to licensure.

In subsections (b), (c), and (d)(4)(v) of this section, the defined term "authorized provider" is substituted for the former reference to "practitioner" for consistency within this title. Similarly, in subsection (c)(3) of this section, the defined term "authorized provider" is substituted for the former reference to "prescriber".

In the introductory language of subsection (b) of this section, the defined term "prescription drug" is substituted for the former reference to a "drug which bears a cautionary label warning against dispensing without a prescription under federal law" for brevity. *See* § 5-101 of this title.

In subsections (b)(1) and (c) of this section, the former references to a provider who is "licensed by law" are deleted in light of the definition of "authorized provider" to the same effect. *See* § 5-101 of this title.

In subsection (c)(4) of this section, the former reference to the name and address of the patient and the directions for use "as contained in the written or oral prescription" is deleted as redundant in light of the phrase "if stated in the prescription".

In subsection (d)(2) and (4)(ii) and (vi) of this section, the defined term "counterfeit" is substituted for the former references to "forgery" and