

(B) A PROTOCOL SHALL PROHIBIT THE SUBSTITUTION OF A CHEMICALLY DISSIMILAR DRUG PRODUCT BY THE PHARMACIST FOR THE PRODUCT PRESCRIBED BY THE PHYSICIAN, UNLESS PERMITTED IN THE THERAPY MANAGEMENT CONTRACT.

12-6A-07.

(A) A THERAPY MANAGEMENT CONTRACT SHALL APPLY ONLY TO CONDITIONS FOR WHICH PROTOCOLS HAVE BEEN APPROVED BY THE BOARD OF PHYSICIAN QUALITY ASSURANCE AND THE BOARD OF PHARMACY UNDER THE REGULATIONS ADOPTED UNDER THIS SUBTITLE.

(B) A THERAPY MANAGEMENT CONTRACT SHALL TERMINATE ONE YEAR FROM THE DATE OF ITS SIGNING, UNLESS RENEWED BY THE LICENSED PHYSICIAN, LICENSED PHARMACIST, AND PATIENT.

(C) A THERAPY MANAGEMENT CONTRACT SHALL INCLUDE:

(1) A STATEMENT THAT NONE OF THE PARTIES INVOLVED IN THE THERAPY MANAGEMENT CONTRACT HAVE BEEN COERCED, GIVEN ECONOMIC INCENTIVES, EXCLUDING NORMAL REIMBURSEMENT FOR SERVICES RENDERED, OR INVOLUNTARILY REQUIRED TO PARTICIPATE;

(2) NOTICE TO THE PATIENT INDICATING HOW THE PATIENT MAY TERMINATE THE THERAPY MANAGEMENT CONTRACT;

(3) A PROCEDURE FOR PERIODIC REVIEW BY THE PHYSICIAN, OF THE DRUGS MODIFIED PURSUANT TO THE AGREEMENT OR CHANGED WITH THE CONSENT OF THE PHYSICIAN; AND

(4) REFERENCE TO AN APPROVED PROTOCOL, WHICH WILL BE PROVIDED TO THE PATIENT UPON REQUEST.

(D) ANY PARTY TO THE THERAPY MANAGEMENT CONTRACT MAY TERMINATE THE CONTRACT AT ANY TIME.

(E) FEES PAID TO THE BOARD OF PHYSICIAN QUALITY ASSURANCE AND BOARD OF PHARMACY RELATED TO THERAPY MANAGEMENT SHALL BE ESTABLISHED IN REGULATIONS.

12-6A-08.

(A) THE PHYSICIAN SHALL MAINTAIN COMPLETE PATIENT RECORDS WITH RESPECT TO THE THERAPY MANAGEMENT CONTRACT.

(B) THE LICENSED PHYSICIAN'S PATIENT RECORD SHALL BE FULLY UPDATED IN WRITING BY THE LICENSED PHARMACIST IN A TIMELY MANNER, AS PROVIDED IN THE PHYSICIAN-PHARMACIST AGREEMENT.

12-6A-09.

NOTHING IN THIS SUBTITLE SUPERSEDES THE PROVISIONS OF § 5-902 OF THE CRIMINAL LAW ARTICLE.