

(2) THE PERSON FILLING THE PRESCRIPTION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION:

(I) SHALL WRITE ON THE PRESCRIPTION THE DATE IT WAS FILLED;

(II) SHALL KEEP THE PRESCRIPTION ON FILE FOR AT LEAST 2 YEARS AFTER IT WAS FILLED;

(III) SHALL ALLOW THE PRESCRIPTION TO BE INSPECTED BY STATE AND LOCAL HEALTH AUTHORITIES; AND

(IV) MAY NOT REFILL THE PRESCRIPTION EXCEPT ON THE ORDER OF THE PHYSICIAN WHO WROTE THE PRESCRIPTION.

(D) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING:

- (1) \$50 FOR THE FIRST VIOLATION; AND
- (2) \$250 FOR EACH SUBSEQUENT VIOLATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 323, as it related to the prohibition of and penalty for sale of a remedy for venereal disease.

In subsection (a)(2) and (3) of this section, the phrase "government unit[s]" is substituted for the former references to "governmental agency" and "governmental agencies" for consistency within this article. *See* General Revisor's Note to article.

In subsection (a)(2) of this section, the former reference to a "health department" is deleted as included in the reference to a "government unit".

In subsection (b) of this section, the former reference to a "firm, company or corporation" is deleted in light of the defined term "person".

Also in subsection (b) of this section, the first former reference to a "sulfonamide drug" is deleted in light of the comprehensive reference to a "drug".

Subsection (c)(2) of this section clarifies that the person who fills the prescription, who in most cases is not the physician who wrote the prescription, shall write on the prescription the date it was filled, shall keep the prescription on file for 2 years, and shall keep the prescription open for inspection.

Defined terms: "Person" § 1-101
"Venereal disease" § 10-101