

CHAPTER 146

(House Bill 112)

AN ACT concerning

Physicians – Operation of Pharmacies – Disciplinary Grounds

FOR the purpose of prohibiting physicians from associating with, employing, or contracting with pharmacists for the purpose of operating a pharmacy; providing a certain exception; and generally relating to prohibiting physicians from associating with or employing pharmacists for certain purposes.

BY repealing and reenacting, with amendments,

Article – Health Occupations
Section 14-404(a)(29) and (30)
Annotated Code of Maryland
(1991 Replacement Volume)

BY adding to

Article – Health Occupations
Section 14-404(a)(31)
Annotated Code of Maryland
(1991 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health Occupations

14-404.

(a) Subject to the hearing provisions of § 14-405 of this subtitle, the Board, on the affirmative vote of a majority of its full authorized membership, may reprimand any licensee, place any licensee on probation, or suspend or revoke a license if the licensee:

(29) Fails to comply with the provisions of § 12-102 of this article; [or]

(30) Refuses, withholds from, denies, or discriminates against an individual with regard to the provision of professional services for which the licensee is licensed and qualified to render because the individual is HIV positive; OR

(31) EXCEPT AS TO AN ASSOCIATION THAT HAS REMAINED IN CONTINUOUS EXISTENCE SINCE JULY 1, 1963:

(I) ASSOCIATES WITH A PHARMACIST AS A PARTNER OR CO-OWNER OF A PHARMACY FOR THE PURPOSE OF OPERATING A PHARMACY;

(II) EMPLOYS A PHARMACIST FOR THE PURPOSE OF