



Prescribing and Dispensing Profile

Maryland

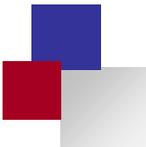


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Schedule II Prescribing Limitations (not related to pain clinics)

Schedule II substances may only be dispensed on the written prescription of a practitioner

- May be dispensed on the oral prescription of a practitioner in an emergency
 - Must be promptly reduced to writing
 - Quantity prescribed and dispensed is limited to an amount sufficient to treat the patient during the emergency period
 - If the prescriber isn't known to the pharmacist, the pharmacist shall make a reasonable effort to determine that the oral authorization came from a registered practitioner, which may include a call back to the prescriber's office at the telephone number listed in the telephone directory or other good faith efforts to insure the practitioner's identity
 - Prescriber shall deliver a written prescription to the pharmacy within seven days
- May be dispensed on the faxed prescription of a practitioner in the following circumstances:
 - To be compounded for direct administration to a patient by various methods
 - For patients in a long term care facility or hospice program

Schedule II prescriptions shall be dispensed within 120 days of being issued

Schedule II prescriptions may not be refilled

Schedule III, IV and V Prescribing Limitations (not related to pain clinics)

Schedule III and IV substances may only be dispensed on the written, faxed, or oral prescription of a practitioner

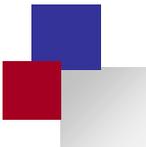
- Oral prescriptions must be immediately reduced to writing

Schedule V substances may not be distributed or dispensed except for a medical purpose

Schedule III – V substances shall be dispensed within 120 days of being issued

- If the prescribing practitioner instructs that the prescription be filled more than 120 days after being issued, a prescription for a controlled substance in Schedule III – V shall not be initially filled more than six months after the date it was issued

Schedule III – V prescriptions cannot be filled or refilled more than six months after originally written or refilled more than five times



Miscellaneous Prescribing/Dispensing Requirements

Practitioners may administer or directly dispense Schedule II – V substances

- Practitioners must submit an application to the appropriate board and pay the appropriate fee in order to dispense prescription drugs
- Practitioners may not dispense prescription drugs until a written permit is received from the appropriate board
 - Not required in order to dispense starter dosages or free samples
- Practitioners shall personally prepare and dispense prescription drugs
- Practitioners shall only dispense prescription drugs to patients of the practitioner only when the patient determines that a pharmacy is not conveniently available to the patient
- Practitioners shall record the dispensing in the patient's chart
 - Chart shall include a single form which:
 - Indicates that a pharmacy is not conveniently available to the patient
 - States that the determination that a pharmacy is not conveniently available was made solely by the patient
 - Is signed and dated by the patient before dispensing prescription drugs to the patient for the first time
- Practitioners shall provide the patient with a written prescription
- Practitioners shall maintain a separate file for Schedule II prescriptions
- Practitioners shall not make any agreement that denies a patient free choice of pharmacy or pharmacy services
- Practitioners shall post a conspicuous sign regarding the process for resolving incorrectly filled prescriptions or includes written information regarding the process with each prescription dispensed
- Practitioners shall prominently display a sign that informs the patient that prescription drugs can be purchased from the permit holder if the patient determines that a pharmacy is not conveniently available

Providers may not dispense methadone unless:

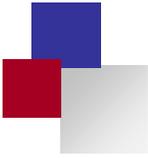
- The authorized provider is associated with a controlled drug therapy program
- An emergency or medical situation exists under regulations adopted by the department

Prescriptions for controlled substances must contain the following:

- Date and signature of prescriber
- Full name and address of the patient
- Drug name, strength, dosage form, quantity prescribed
- Directions for use
- Name, address, and registration number of prescriber

Prescribing/Dispensing Limitations for Dentists

No separate statutes or regulations related to prescribing and dispensing limitations for dentists.



Prescribing/Dispensing Limitations for Optometrists

A therapeutically certified optometrist may administer and prescribe topical therapeutic pharmaceutical agents limited to:

- Ocular antihistamines, decongestants, and combinations thereof
- Ocular antiallergy pharmaceutical agents
- Ocular antibiotics and combinations of ocular antibiotics, excluding specially formulated or fortified antibiotics
- Anti-inflammatory agents
- Ocular lubricants and artificial tears
- Tropicamide
- Homatropine

A therapeutically certified optometrist may administer or prescribe topical steroids in accordance with practice protocols established by the board

A therapeutically certified optometrist may not administer or prescribe:

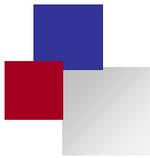
- Antiviral agents
- Antifungal agents
- Antimetabolite agents
- Antiparasitic agents

Pain Clinic/Pain Management Regulations

No specific statutes or regulations identified.

Training or Education Requirements or Recommendations for Practitioners who Prescribe or Dispense Controlled Substances

No specific statutes or regulations identified.



Medical Marijuana or Controlled Substances Therapeutic Research Program Provisions

This section deals only with the conditions that qualify a patient for the use of medical marijuana or a therapeutic research program and the attendant physician responsibilities. For complete information on state medical marijuana and therapeutic research programs, please visit the NAMSDL website at www.namsdl.org.

A certifying physician is an individual who is licensed by the board of medicine in Maryland and who is approved by the Commission to make marijuana available to patients for medical use

Written certification is issued by a certifying physician to a qualified patient with whom s/he has a bona fide physician-patient relationship

- Includes a written statement certifying that, in the physician's professional opinion, after having completed a full assessment of the patient's medical history and current medical condition, the patient has a condition:
 - That meets the inclusion criteria and does not meet the exclusion criteria of the certifying physician's application
 - For which the benefits of the medical use of marijuana would likely outweigh the health risks for the patient

A physician may determine that a patient qualifies for a written certification only:

- If the qualifying patient has registered with the Commission
- For whom the physician has a bona fide physician-patient relationship
- If the qualifying patient meets the physician's inclusion criteria
- If the qualifying patient does not meet the inclusion criteria and the physician has determined that the potential benefits of the medical use of cannabis likely outweigh the health risks for the patient

Certifying physician shall log on to the Commission website to transmit the certification to the Commission and, if requested, provide a copy of the written certification to the patient

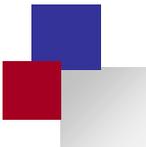
A written certification shall include:

- Physician's name, Maryland Board of Physicians license number, and office telephone number
- Qualifying patient's name, date of birth, address, and county of residence
- Medical condition requiring cannabis
- The date of qualification as a qualifying patient
- May contain a statement certifying that, in the physician's professional opinion, a 30-day supply of medical cannabis would be inadequate to meet the medical needs of the patient

Certifying physician may discuss the medical use of cannabis with the patient

A certifying physician shall terminate a written certification if:

- The qualifying patient meets the physician's exclusion criteria
- Treatment with medical cannabis is no longer necessary for the patient
- Adverse effects of medical cannabis outweigh the benefits to the patient's health
- There is evidence that the patient engaged in diversion of medical cannabis
- Physician may terminate a written certification if the patient shows any signs of substance abuse
- Certifying physician shall notify the Commission within one business day of termination



Medical Marijuana or Controlled Substances Therapeutic Research Program Provisions, cont'd.

Qualifying patient shall only have one certifying physician at a time

Qualifying patient may seek renewal of a written certification not less than 30 calendar days after it was issued by notifying the patient's certifying physician

- Physician may renew certification only if it is determined that the patient still meets the criteria
- Physician shall notify Commission upon renewing a certification
- Physician may not renew a certification unless the physician has made a full, in-person assessment of the patient within the 365 days before the reissuance

A physician seeking registration as a certifying physician shall submit an application to the Commission that includes the following:

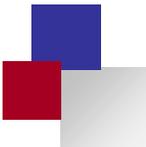
- The physician's full name, SSN, office addresses and phone numbers, current email address, MD Board of Physicians license number, and plan to assess patient outcomes, provide follow-up care, and to collect and analyze data
- An attestation that:
 - Physician's license is in good standing, the physician is registered to prescribe controlled substances, and a standard patient evaluation will be completed and include:
 - A history, physical examination, review of symptoms, and any other pertinent medical information
- The medical conditions for which the physician may issue written certifications
- The physician's other inclusion criteria
- The reasons the physician may deny issuing a written certification

To be approved as a certifying physician, a physician shall submit a proposal to the Commission that includes:

- The reasons for including a patient under the care of the physician for the purposes of medical use of marijuana, including the patient's qualifying medical conditions
- The reasons the physician will use to exclude patients from the care of the physician
- The physician's plan for screening a patient for dependence, both before and after the qualifying patient is issued a written certification
- The physician's plan for the ongoing assessment and follow-up care of a patient and for collecting and analyzing data

Commission encourages physicians to apply to register as a certifying physician to treat patients with the following medical conditions:

- A chronic or debilitating disease or medical condition that results in a patient being admitted into hospice or receiving palliative care
- A chronic or debilitating disease or medical condition or the treatment of a chronic or debilitating disease or medical condition that produces: cachexia, anorexia, or wasting syndrome; severe pain; severe nausea; seizures; severe or persistent muscle spasms; severe conditions for which other treatments are ineffective
- Glaucoma or PTSD



Medical Marijuana or Controlled Substances Therapeutic Research Program Provisions, cont'd.

A physician may be registered as a certifying physician to treat a patient who has a condition that is:

- Severe
- For which other medical treatments have been ineffective
- If the symptoms can reasonably be expected to be relieved by the use of medical cannabis

Applications are deemed approved unless the Commission notifies the applicant that the application has been denied

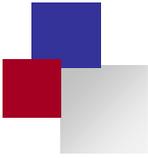
- Approvals are valid for two years
- Certifying physician shall apply to renew a registration to certify at the time of renewal of the physician's license to practice medicine
- Commission shall provide physician with notice of renewal 90 days before expiration of the registration
- Commission shall grant a renewal if:
 - The physician attests that the physician's license to practice is in good standing and the physician's registration by the State to prescribe controlled substances is valid
 - The physician has otherwise complied with the regulations

Physician or spouse of certifying physician may not receive any compensation, including promotion, recommendation, advertising, subsidized rent, or anything of value from a licensed grower, licensed processor, or a licensed dispensary unless the certifying physician submits an application to the Commission for approval for the compensation

- The application shall disclose:
 - The specific type of compensation and specific amount or value of compensation and the services for which the compensation will be paid
 - An attestation that the compensation does not violate the Maryland Medical Practice Act or patient referral laws
- Commission shall deny an application for compensation if:
 - The compensation is based on any agreement or arrangement for the certifying physician to refer, direct, or recommend qualifying patients to the licensed grower, licensed processor, or licensed dispensary to obtain medical cannabis
 - The physician refuses to attest that the compensation would not violate the Medical Practice Act or patient referral laws
 - The compensation would violate the Medical Practice Act or patient referral laws
- Commission may deny an application if the compensation agreement may create an appearance that the compensation compromises the independent judgment of the certifying physician in the treatment of a patient
- If the application is denied, the physician shall be notified in writing and shall be entitled to a hearing to review the denial

Each certifying physician shall submit an annual report to the Commission that includes:

- The number of patients served
- The county of residence of each patient
- Any medical condition for which medical marijuana was recommended
- A summary of clinical outcomes, including adverse events and any cases of suspected diversion



Medical Marijuana or Controlled Substances Therapeutic Research Program Provisions, cont'd.

A licensed dispensary may appoint an individual who is a Maryland physician, nurse practitioner, or pharmacist to function as clinical director

Physicians shall not be subject to arrest, prosecution, or any civil or administrative penalty, including a civil penalty or disciplinary action by a licensing board, or be denied any right or privilege for medical marijuana

PMP Requirements for Mandatory Registration and Access

No specific statutes or regulations identified.

Patient Referral to Treatment

No specific statutes or regulations identified.

Board Guidelines

None.

