

HB1426/243720/1

BY: Health Committee

AMENDMENTS TO HOUSE BILL 1426  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate Solomon**” and substitute “**Delegates Solomon, Bagnall, Cullison, Guzzone, Hill, Hutchinson, S. Johnson, Kaufman, Kipke, Lopez, Martinez, Reilly, Rosenberg, Ross, Taveras, White Holland, and Woorman**”; in line 2, strike the first comma and substitute “**and**”; strike beginning with “, **and**” in line 2 down through “**Medicine**” in line 3; strike beginning with “**exempting**” in line 7 down through “**medicine**” in line 10 and substitute “**prohibiting an individual from being required to obtain a license, certification, or authorization to practice under certain provisions of law to own or have an ownership interest in a clinical research pharmacy; authorizing certain health occupations boards to investigate certain allegations, under certain circumstances**”; in line 14, strike “and 14–101(a)”; in line 24, strike the first comma and substitute “**and**”; and in the same line, strike “, and 14–101(o)”.

AMENDMENT NO. 2

On page 5, in line 11, after “**(E)**” insert “**EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, AN INDIVIDUAL MAY NOT BE REQUIRED TO OBTAIN A LICENSE, CERTIFICATION, OR OTHER AUTHORIZATION TO PRACTICE UNDER THIS ARTICLE TO OWN OR HAVE AN OWNERSHIP INTEREST IN A CLINICAL RESEARCH PHARMACY.**”

**(F) (1) THE OWNERSHIP OR POSSESSION OF AN OWNERSHIP INTEREST IN A CLINICAL RESEARCH PHARMACY BY AN INDIVIDUAL WHO IS NOT LICENSED, CERTIFIED, OR OTHERWISE AUTHORIZED TO PRACTICE UNDER THIS ARTICLE MAY NOT BE THE SOLE BASIS FOR THE BOARD TO INITIATE A DISCIPLINARY ACTION AGAINST THE INDIVIDUAL.**

(2) THE APPLICABLE HEALTH OCCUPATIONS BOARD MAY INVESTIGATE AN ALLEGATION THAT AN INDIVIDUAL EMPLOYED BY A CLINICAL RESEARCH PHARMACY:

(I) IS PRACTICING A PROFESSION REGULATED BY THE HEALTH OCCUPATIONS BOARD UNDER THIS ARTICLE WITHOUT A LICENSE, CERTIFICATE, OR OTHER AUTHORIZATION OR WITH AN UNAUTHORIZED PERSON; OR

(II) HAS VIOLATED A PROVISION OF THIS ARTICLE UNDER THE JURISDICTION OF THE HEALTH OCCUPATIONS BOARD.

(G) A HEALTH CARE PROVIDER WITH A SUBSTANTIAL OWNERSHIP INTEREST IN A CLINICAL RESEARCH PHARMACY MAY NOT:

(1) SERVE AS A CLINICAL INVESTIGATOR FOR A SCIENTIFIC RESEARCH PROTOCOL CONDUCTED BY THE CLINICAL RESEARCH PHARMACY; OR

(2) IMPEDE OR IMPAIR A PHARMACIST'S ABILITY TO FULLY EXERCISE THE PHARMACIST'S PROFESSIONAL JUDGMENT.

(H)".

On pages 5 and 6, strike in their entirety the lines beginning with line 17 on page 5 through line 26 on page 6, inclusive.