

SENATE BILL 539

J2, D4

5lr1763

By: **Senators Charles, Muse, and Ellis**

Introduced and read first time: January 23, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Prescriptions for Children Subject to Shared Custody or**
3 **Visitation Schedules**

4 FOR the purpose of requiring health care providers who are authorized to prescribe to issue
5 two prescriptions for each drug prescribed for a child if a parent of the child presents
6 the prescriber with a court–ordered or court–approved shared custody or visitation
7 schedule; requiring a health care provider authorized to dispense prescription drugs
8 to fill the prescription under certain circumstances; and generally relating to shared
9 custody and visitation and prescriptions.

10 BY adding to
11 Article – Health Occupations
12 Section 1–230
13 Annotated Code of Maryland
14 (2021 Replacement Volume and 2024 Supplement)

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

17 **Article – Health Occupations**

18 **1–230.**

19 **(A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF A PARENT**
20 **PRESENTS A HEALTH CARE PROVIDER AUTHORIZED TO PRESCRIBE UNDER THIS**
21 **ARTICLE WITH A COURT–ORDERED OR COURT–APPROVED SHARED CUSTODY OR**
22 **VISITATION SCHEDULE, THE HEALTH CARE PROVIDER SHALL ISSUE TWO**
23 **PRESCRIPTIONS FOR EACH DRUG THE HEALTH CARE PROVIDER PRESCRIBES FOR A**
24 **CHILD OF THE PARENT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) THE HEALTH CARE PROVIDER SHALL:

(I) ISSUE A PRESCRIPTION TO BE FILLED BY EACH PARENT;

AND

(II) WRITE EACH PRESCRIPTION FOR AN AMOUNT OF THE DRUG THAT IS PROPORTIONATE TO THE AMOUNT OF TIME THAT THE PARENT SPENDS WITH THE CHILD IN ACCORDANCE WITH THE COURT-ORDERED OR COURT-APPROVED SHARED CUSTODY OR VISITATION SCHEDULE.

(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF A PARENT PRESENTS A HEALTH CARE PROVIDER AUTHORIZED TO DISPENSE PRESCRIPTION DRUGS OR DEVICES UNDER THIS ARTICLE WITH A COURT-ORDERED OR COURT-APPROVED SHARED CUSTODY OR VISITATION SCHEDULE AND A PRESCRIPTION ISSUED UNDER SUBSECTION (A) OF THIS SECTION, THE HEALTH CARE PROVIDER SHALL FILL THE PRESCRIPTION.

(2) A HEALTH CARE PROVIDER AUTHORIZED TO DISPENSE PRESCRIPTION DRUGS OR DEVICES UNDER THIS ARTICLE MAY FILL FOR THE PARENT ONLY THE PRESCRIPTION THAT IS FOR THE AMOUNT OF THE DRUG THAT IS PROPORTIONATE TO THE TIME THAT THE PARENT SPENDS WITH THE CHILD IN ACCORDANCE WITH THE COURT-ORDERED OR COURT-APPROVED SHARED CUSTODY OR VISITATION SCHEDULE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.