

(B) EFFECT ON HEALTH OCCUPATIONS.

(1) THE ADMINISTRATION OF THE LETHAL SUBSTANCES REQUIRED BY THIS SECTION IS NOT THE PRACTICE OF MEDICINE.

(2) NOTWITHSTANDING ANY OTHER LAW, A PHARMACIST OR PHARMACEUTICAL SUPPLIER MAY DISPENSE DRUGS, WITHOUT A PRESCRIPTION, TO THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE TO CARRY OUT THIS SECTION.

REVISOR'S NOTE: This section formerly was Art. 27, § 71.

The only changes are in style.

Defined term: "Commissioner" § 3-101

3-906. ADMINISTRATION OF LETHAL INJECTION.

(A) DUTIES OF COMMISSIONER.

THE COMMISSIONER SHALL:

(1) PROVIDE A SUITABLE AND EFFICIENT PLACE, ENCLOSED FROM PUBLIC VIEW, IN WHICH AN EXECUTION MAY BE CARRIED OUT;

(2) PROVIDE ALL OF THE MATERIALS THAT ARE NECESSARY TO PERFORM THE EXECUTION; AND

(3) SUBJECT TO SUBSECTION (C) OF THIS SECTION, SELECT THE INDIVIDUALS TO PERFORM THE EXECUTION.

(B) SUPERVISION.

THE COMMISSIONER OR THE COMMISSIONER'S DESIGNEE SHALL SUPERVISE THE EXECUTION.

(C) LETHAL INJECTION.

(1) AN EXECUTION SHALL BE PERFORMED BY INDIVIDUALS WHO ARE SELECTED BY THE COMMISSIONER AND TRAINED TO ADMINISTER THE LETHAL INJECTION.

(2) AN INDIVIDUAL WHO ADMINISTERS THE PARALYTIC AGENT AND LETHAL INJECTION NEED NOT BE LICENSED OR CERTIFIED AS ANY TYPE OF HEALTH CARE PRACTITIONER UNDER THE HEALTH OCCUPATIONS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 72.

In subsection (a)(1) of this section, the former reference to a "room" is deleted as included in the broad reference to a "place".

In subsection (a)(2) of this section, the reference to "materials" necessary to carry out the death penalty is substituted for the former reference to "implements" for consistency with § 3-905 of this subtitle, which requires