

**DISTRICT OF COLUMBIA OFFICIAL CODE**  
**TITLE 48. FOOD AND DRUGS**  
**SUBTITLE II. PRESCRIPTION DRUGS**  
**CHAPTER 8. PRESCRIPTION DRUG PRICE INFORMATION**

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**SUBCHAPTER IV. ENFORCEMENT**

§ 48-804.01. Violations of posting provisions

§ 48-804.02. Restraints of trade

§ 48-804.03. Inspection of pricing records and practices; cease and desist orders

**SUBCHAPTER IV. ENFORCEMENT**

**§ 48-804.01. Violations of posting provisions**

(a) Any pharmacy which sells a legend drug in violation of § 48-801.03, § 48-801.04, or § 48-801.05 is liable to the buyer, or the provider or insurer of the buyer, for the full amount charged for the drug.

(b) Civil fines, penalties, and fees may be imposed as alternative sanctions for any infraction of the provisions of this subchapter, or any rules or regulations issued under the authority of this subchapter, pursuant to Chapter 18 of Title 2. Adjudication of any infraction of this subchapter shall be pursuant to Chapter 18 of Title 2.

**§ 48-804.02. Restraints of trade**

Any person who, by any means, interferes with, prevents, discourages, or attempts to interfere with, prevent, or discourage: (1) any disclosure of, or attempt to disclose, or action necessary to disclose, substantially accurate prices, discounts, services, or other information concerning any prescription drug, whether or not such disclosure is authorized or directed in this chapter, or is through any media or other form of communication, or is made or to be made by any publisher, broadcaster, pharmacy, pharmacist, advertiser, drug manufacturer, wholesaler, or chain, government agency, or any other person; or (2) any retail drug price-setting, substitution, or marketing policy or action required, encouraged or permitted by, or consistent with this chapter; has committed a restraint of trade, and has caused a tortious injury in the District of Columbia as described in § 13-423(a)(3) and (4), and shall be liable for treble civil damages to each and every person (including a pharmacy or pharmacist), health insurer, and government agency the object of or injured by such interference, prevention, discouragement, or attempt to interfere, prevent, or discourage. Any action which jeopardizes in any way, or raises the net price of, the supply from manufacturers or wholesalers of drugs to any pharmacy, government agency,

health insurer, or person providing or paying for a drug in the District may comprise such an interference, prevention, discouragement, or attempt.

**§ 48-804.03. Inspection of pricing records and practices; cease and desist orders**

After reasonable notice, the Office of Consumer Protection may inspect the pricing records and practices of any pharmacy or other person, to assure compliance with this chapter. After appropriate notice and hearing, the Office may, if it finds that any person has violated this chapter, issue a cease and desist order against continued or future violation, and such other orders as may otherwise be within powers of that Office.