

HB0881/613127/1

BY: Delegate Schulz

AMENDMENTS TO HOUSE BILL 881, AS AMENDED

(First Reading File Bill)

AMENDMENT NO. 1

On page 1 of the Health and Government Operations Committee Amendments (HB0881/486688/1), in line 12 of Amendment No. 1, after “Commission” insert “and to submit certain prescription monitoring data to the Prescription Drug Monitoring Program”.

On page 2 of the Health and Government Operations Committee Amendments, in line 3 of Amendment No. 1, after “facilities” insert “; requiring certain entities licensed to grow marijuana to submit certain prescription monitoring data to the Prescription Drug Monitoring Program”.

On page 2 of the bill, in line 3, after “terms;” insert “altering the definition of a certain term;”; in line 8, strike “and” and substitute a comma; in the same line, after “13-3311” insert “, 21-2A-01(f), and 21-2A-03”; and in line 18, after “13-3306” insert “and 21-2A-01(a)”.

AMENDMENT NO. 2

On page 12 of the bill, before line 18, insert:

“(E) AN ENTITY LICENSED TO GROW MARIJUANA UNDER THIS SECTION SHALL SUBMIT PRESCRIPTION MONITORING DATA TO THE PRESCRIPTION DRUG MONITORING PROGRAM UNDER § 21-2A-03 OF THIS TITLE.”

On page 6 of the Health and Government Operations Committee Amendments, in line 21 of Amendment No. 3, strike “**(E)**”, “**(F)**”, and “**(G)**”, respectively, and substitute “**(F)**”, “**(G)**”, and “**(H)**”, respectively.

(Over)

AMENDMENT NO. 3

On page 4 of the Health and Government Operations Committee Amendments, in line 5 of Amendment No. 3, strike “PROVIDE” and substitute “:

(I) PROVIDE”;

and in line 6, after “COMMISSION” insert “;AND

(II) SUBMIT PRESCRIPTION MONITORING DATA TO THE PRESCRIPTION DRUG MONITORING PROGRAM UNDER § 21-2A-03 OF THIS TITLE”.

AMENDMENT NO. 4

On page 14 of the bill, after line 27, insert:

“21-2A-01.

(a) In this subtitle the following words have the meanings indicated.

(f) “Monitored prescription drug” means a prescription drug that contains a Schedule II, Schedule III, Schedule IV, or Schedule V controlled dangerous substance designated under Title 5, Subtitle 4 of the Criminal Law Article OR MARIJUANA LISTED IN SCHEDULE I UNDER TITLE 5, SUBTITLE 4 OF THE CRIMINAL LAW ARTICLE.

21-2A-03.

(a) The Department shall implement the Program, subject to the availability of funds.

(b) The Secretary may:

(1) Assign responsibility for the operation of the Program to any unit in the Department; and

(2) Contract with any qualified person for the efficient and economical operation of the Program.

(c) Except as provided in subsection (d) of this section, each dispenser AND CERTIFYING PHYSICIAN UNDER § 13-3307 OF THIS ARTICLE shall submit prescription monitoring data to the Program by electronic means, in accordance with regulations adopted by the Secretary.

(d) The Secretary, for good cause shown, may authorize a dispenser to submit prescription monitoring data by an alternative form of submission.

(e) The Secretary, in consultation with the Maryland Health Care Commission and the Board, shall:

(1) Determine the appropriate technology to support the operation of the Program; and

(2) Educate dispensers, prescribers, and consumers about the purpose and operation of the Program.

(f) (1) The Secretary shall grant a waiver to a pharmacy that dispenses medications to an inpatient hospice from reporting to the Program prescription monitoring data for hospice inpatients if:

(i) The pharmacy demonstrates how it will distinguish hospice inpatients from other consumers receiving medications from the pharmacy; and

(ii) The pharmacy agrees that it will be subject to onsite, unannounced inspections by the Department to verify its reporting of the prescription data of consumers who are not hospice inpatients.

(2) A waiver granted under this subsection may remain in effect for up to 2 years.

(3) The Secretary may establish an application process for a pharmacy to apply for a waiver under this subsection.”.