

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 115

(Delegates Morhaim and Pena-Melnyk)

Health and Government Operations

Finance

Maryland Health Care Commission - Electronic Prescription Records System -
Assessment and Report

This bill requires the Maryland Health Care Commission (MHCC) to convene interested stakeholders to assess the benefits and feasibility of developing an electronic system to allow health care providers to access a patient's prescription medication history. By January 1, 2020, MHCC, in consultation with interested stakeholders, must report its findings and recommendations to the Governor and the General Assembly. **The bill takes effect July 1, 2018, and terminates June 30, 2020.**

Fiscal Summary

State Effect: MHCC can convene interested stakeholders and issue the required report using existing budgeted resources. Revenues are not affected.

Local Effect: The bill does not directly affect local governmental operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: MHCC must assess specified factors, including the capability of the State's designated health information exchange (HIE) to include a patient's prescription medication history, required enhancements to the HIE to ensure that it can continue to meet other State mandates, the cost to the State to develop and maintain an electronic prescription medication system, and privacy protections required for the system.

The bill also expresses the intent of the General assembly that MHCC work toward the development of an electronic system within the HIE for the purpose of providing a health care provider access to a patient's medication history, including medications prescribed by another provider, to coordinate the care of or provide treatment to the patient.

Current Law/Background: Chapter 166 of 2011 established the Prescription Drug Monitoring Program (PDMP) to assist with the identification and prevention of prescription drug abuse and the identification and investigation of unlawful prescription drug diversion. PDMP must monitor the prescribing and dispensing of Schedule II through V controlled dangerous substances (CDS). When a dispenser fills a prescription for a monitored drug, the dispenser must electronically submit to PDMP identifying information for the patient, prescriber, dispenser, and drug within three business days of dispensing.

MHCC designated the Chesapeake Regional Information System for our Patients (CRISP) as the statewide HIE in 2009, and the infrastructure became operational in 2010. An HIE allows clinical information to move electronically among disparate health information systems. CRISP is the platform for PDMP. Consumers can opt out of having their information included in the HIE. However, CDS information remains available to health care providers.

Although data on CDS prescriptions is readily available, Maryland health care providers currently do not have access to 100% of prescription data for patients. Surescripts, an HIE and electronic clearinghouse, provides a subscription service to access about 80% of non-CDS prescription records.

Additional Information

Prior Introductions: None.

Cross File: SB 13 (Senator Rosapepe) - Finance.

Information Source(s): Maryland Department of Health; Department of Legislative Services

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Analysis by: Jennifer B. Chasse

Direct Inquiries to:
(410) 946-5510
(301) 970-5510