

STATE OF MARYLAND

Andrew N. Pollak
CHAIR



Ben Steffen
EXECUTIVE DIRECTOR

MARYLAND

HEALTH CARE

COMMISSION

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February 17, 2020

The Honorable Shane E. Pendergrass
Chair, Health and Government Operations Committee
Room 241, House Office Building
Annapolis, Maryland 21401

RE: HB 512 – Drugs and Devices – Electronic Prescriptions – Controlled Dangerous Substances - INFORMATION

Dear Chair Pendergrass:

The Maryland Health Care Commission (the “Commission”) would like to provide the House Health and Government Operations Committee with information related to House Bill 512. The Commission recognizes the importance of electronic prescriptions. The Commission encourages the House Health and Government Operations Committee to conform this bill with the text of HB 692 Drugs and Devices – Electronic Prescriptions – Controlled Dangerous Substances (with the amendments recommended by the Maryland Department of Health).

The U.S. Drug Enforcement Agency gave health practitioners permission to transmit CDS prescriptions electronically in 2010. In 2017, the Federal Government declared the opioid addiction epidemic a nationwide public health emergency. In 2018, Congress passed the Substance Use–Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act (H.R.6 - 115th Congress). The SUPPORT for Patients and Communities Act requires electronic prescribing for CDS under Medicare Part D by January 1, 2021. A number of states have implemented mandates that require CDS prescriptions to be transmitted electronically. New York first mandated electronic CDS in 2016, followed by Pennsylvania, Arizona, Iowa, Massachusetts, North Carolina, Oklahoma, and Rhode Island. In September 2018, California passed a law that requires electronic prescribing for all medications, which takes effect on January 1, 2022.

All hospitals and pharmacies in Maryland have adopted electronic prescribing; however, around 15 percent of physicians have not adopted the technology. Many of the physicians that have not adopted electronic prescribing practice in small or solo practices. A sizeable number are near retirement or provide psychiatric treatment where electronic prescribing has been slower to take root. HB 512 allows the Secretary to adopt regulations to provide waivers for physicians with exceptional circumstances.

Note: The Maryland Health Care Commission is an independent State agency. The position of the Commission may differ from the Maryland Department of Health

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I hope you find this information useful. Please feel free to contact me at (410) 764-3566 or Ben.Steffen@maryland.gov, or Megan Renfrew, Government Affairs and Special Projects, at (410) 764-3483 or Megan.Renfrew@maryland.gov if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Ben Steffen". The signature is written in a cursive, slightly slanted style.

Ben Steffen
Executive Director
Maryland Health Care Commission

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