
To: Members of Finance Committee

From: Family Law Section Council

Date: March 12, 2024

Subject: **Senate Bill 1016:
Health Occupations – Prescriptions for Children Subject to Joint Custody**

Position: **INFORMATION**

The Maryland State Bar Association (MSBA) Family Law Section Council (FLSC) **submits this Information paper regarding Senate Bill 1016: Health Occupations – Prescriptions for Children Subject to Joint Custody.**

The FLSC is the formal representative of the Family Law Section of the MSBA, which promotes the objectives of the MSBA by improving the administration of justice in the field of family and juvenile law and, at the same time, tries to bring together the members of the MSBA who are concerned with family and juvenile laws and in reforms and improvements in such laws through legislation or otherwise. The FLSC is charged with the general supervision and control of the affairs of the Section and authorized to act for the Section in any way in which the Section itself could act. The Section has over 1,200 attorney members.

SB1016 proposes a path to address a common dispute between separated parents: filling prescriptions & transferring them between separated households. The law is undeveloped about this type of situation. A law guiding parents has the potential to reduce parental conflict & facilitate children’s access to prescriptions.

How this would work in action remains to be seen. For example:

- The impact on insurance coverage (which is beyond the FLSC);
- How half of the doubled prescription will be provided to the other parent;
- Treatment of families with sole legal custody.

Should you have any questions, please contact:

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