

BY: Health and Government Operations Committee

AMENDMENTS TO SENATE BILL NO. 333  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 7, after “Program;” insert “requiring prescription monitoring data to be destroyed after a certain time period unless a certain request for retention of certain information is submitted to the Department;”; in line 13, after “circumstances;” insert “prohibiting the Board and the Secretary from charging a fee or imposing an assessment on certain persons for certain purposes;”; in line 17, strike “civil”; and in line 22, strike “federal grant money” and substitute “federal, State, or private funds; prohibiting the Program from collecting prescription monitoring data before a certain date”.

AMENDMENT NO. 2

On page 5, after line 3, insert:

“(1) ASSIST HEALTH CARE PROVIDERS AND LAW ENFORCEMENT PROFESSIONALS IN:

(I) THE IDENTIFICATION, TREATMENT, AND PREVENTION OF PRESCRIPTION DRUG ABUSE; AND

(II) THE IDENTIFICATION AND INVESTIGATION OF UNLAWFUL PRESCRIPTION DRUG DIVERSION;”;

in lines 4, 8, 13, 16, and 21, strike “(1)”, “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively; in line 20, after the second “THE” insert “PRESCRIPTION MONITORING”; strike in their entirety lines 26 and 27; in line 31, strike “MINIMIZE” and substitute “PREVENT”; and in line 34, strike “PROMOTE SUBMISSION OF” and substitute “RECEIVE”.

(Over)

AMENDMENT NO. 3

On page 6, strike in their entirety lines 1 and 2 and substitute:

“(9) ENSURE THAT:

(I) CONFIDENTIAL OR PRIVILEGED PATIENT INFORMATION IS KEPT CONFIDENTIAL; AND

(II) RECORDS OR INFORMATION PROTECTED BY THE PRIVILEGE BETWEEN A HEALTH CARE PROVIDER AND A PATIENT, OR OTHERWISE REQUIRED BY LAW TO BE HELD CONFIDENTIAL, IS FILED IN A MANNER THAT, EXCEPT AS OTHERWISE PROVIDED IN § 21-2A-06 OF THIS SUBTITLE, DOES NOT DISCLOSE THE IDENTITY OF THE PERSON PROTECTED.

(E) PRESCRIPTION MONITORING DATA SHALL BE DESTROYED AFTER 2 YEARS, UNLESS A LAW ENFORCEMENT AGENCY OR A HEALTH OCCUPATIONS BOARD HAS SUBMITTED A WRITTEN REQUEST TO THE DEPARTMENT FOR RETENTION OF SPECIFIC INFORMATION.”;

in line 6, strike “20” and substitute “21”; in lines 7, 8, 9, 11, and 16, in each instance, before “OR” insert a comma; in line 27, strike “THREE” and substitute “FOUR”; and in line 32, strike “TWO” and substitute “THREE”.

AMENDMENT NO. 4

On page 7, strike beginning with “FEDERAL” in line 29 down through “PRESCRIBERS” in line 30 and substitute “SOURCES OF FEDERAL, PRIVATE, OR STATE FUNDS”; in line 31, after “(3)” insert:

“(I) PROVIDE WITHIN 180 DAYS AFTER ITS FIRST MEETING, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, AN INTERIM REPORT TO THE GENERAL ASSEMBLY SETTING FORTH THE BOARD’S ANALYSIS AND RECOMMENDATIONS UNDER ITEM (2) OF THIS SUBSECTION REGARDING THE DESIGN, IMPLEMENTATION, AND FUNDING OF THE PROGRAM; AND

(II);

and in the same line, after “AND” insert “, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE,”.

On page 8, in lines 15 and 23, in each instance, strike “ADVISORY”.

AMENDMENT NO. 5

On page 9, after line 16, insert:

“(D) THE BOARD AND THE SECRETARY MAY NOT CHARGE A FEE OR IMPOSE AN ASSESSMENT ON A HOSPITAL, DISPENSER, OR PRESCRIBER FOR:

(1) THE ESTABLISHMENT, MAINTENANCE, OR ADMINISTRATION OF THE PROGRAM; OR

(2) THE TRANSMISSION OF INFORMATION TO OR FROM THE PROGRAM.”;

in line 22, strike “RECORD” and substitute “RECORDS”; and in line 30, after “AN” insert “EXISTING BONA FIDE”.

AMENDMENT NO. 6

On page 11, strike beginning with “some” in line 14 down through “Article” in line 16 and substitute “federal, private, or State funds to carry out the purposes of this Act”; after line 16, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Prescription Drug Monitoring Program to be established under § 21-2A-02 of the Health - General Article, as enacted by Section 1 of this Act, may not collect prescription monitoring data before June 1, 2007.”;

and in line 17, strike “3.” and substitute “4.”.