

Department of Legislative Services  
Maryland General Assembly  
2015 Session

FISCAL AND POLICY NOTE

Senate Bill 14 (Senator Conway)  
Education, Health, and Environmental Affairs Health and Government Operations

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**Health Occupations - Board of Pharmacy - Pharmacist Rehabilitation Committee  
- Definition**

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This bill requires the State Board of Pharmacy’s pharmacist rehabilitation committee to include at least one pharmacist rather than a majority of pharmacists.

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**Fiscal Summary**

**State Effect:** The bill does not substantively change State activities or operations.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The board may allocate funds from the State Board of Pharmacy Fund to a pharmacist rehabilitation committee. A pharmacist rehabilitation committee is a group, a majority of which must be pharmacists, that is recognized by the board. A pharmacist rehabilitation committee evaluates and provides assistance to any pharmacist, registered pharmacy intern, or registered pharmacy technician in need of treatment and rehabilitation for alcoholism; drug abuse; chemical dependency; or other physical, emotional, or mental condition.

**Background:** Only one group has a majority of pharmacists and meets the statutory definition of a pharmacist rehabilitation committee – the Pharmacists’ Education and Advocacy Council (PEAC). The board has contracted with PEAC since its establishment in 1983. PEAC is an education, referral, and monitoring contractor comprising an executive director, program coordinator, treasurer, counselor, and webmaster, as well as

volunteer pharmacist monitors. PEAC provides mentoring, consolidated treatment reports, and recommended actions to the board but does not have licensed health care practitioners to provide direct urine screening, evaluations, or rehabilitation therapy. Instead, PEAC refers participants for those services. In fiscal 2014, PEAC monitored an average of 16.5 individuals per month. As of January 2015, PEAC is monitoring 18 individuals.

In 2011, the Department of Legislative Services conducted a full sunset evaluation of the board and recommended submission of a report on the status of the board's contractual relationship with PEAC and whether any statutory changes are necessary to allow other vendors to compete with PEAC. As required by Chapter 658 of 2012, the board submitted this report in October 2013. The report noted that, although PEAC's pharmacist mentoring component has some value, it may not be the only determinant of whether the services provided are most effective in attracting, treating, and reducing recidivism of impaired licensees. The board recommended that statute be amended to allow rehabilitation providers that do not consist of a majority of pharmacist members to bid on future contracts, and to require that the selected provider's program include a pharmacist mentoring component. According to the board, well-established rehabilitation programs with licensed medical and behavioral health professionals on staff (but not composed of a majority of pharmacists) have expressed an interest in bidding on the board's rehabilitation contract.

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### **Additional Information**

**Prior Introductions:** A substantially similar bill, HB 144 of 2007, was withdrawn without a hearing in the House Health and Government Operations Committee.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene, Department of Legislative Services

**Fiscal Note History:** First Reader - January 26, 2015  
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