

HOUSE BILL 755

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9lr3149

By: **Delegate Kipke**

Introduced and read first time: February 8, 2019

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Gabapentin – Monitoring by Prescription Drug Monitoring**
3 **Program and Report**

4 FOR the purpose of requiring the Prescription Drug Monitoring Program to monitor the
5 prescribing and dispensing of Gabapentin by all prescribers and dispensers in the
6 State; requiring the Maryland Department of Health to submit a certain report to
7 certain committees of the General Assembly on or before a certain date; making
8 conforming changes; and generally relating to Gabapentin and the Prescription Drug
9 Monitoring Program.

10 BY repealing and reenacting, with amendments,
11 Article – Health – General
12 Section 21–2A–02
13 Annotated Code of Maryland
14 (2015 Replacement Volume and 2018 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Health – General**

18 21–2A–02.

19 (a) There is a Prescription Drug Monitoring Program in the Department.

20 (b) The mission of the Program is to:

21 (1) Assist prescribers, pharmacists, and public health professionals in:

22 (i) The identification and prevention of prescription drug abuse; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) The identification and investigation of unlawful prescription
2 drug diversion; and

3 (2) Promote a balanced use of prescription monitoring data to assist
4 appropriate law enforcement activities while preserving the professional practice of health
5 care providers and the access of patients to optimal pharmaceutical care.

6 (c) To carry out its mission, the Program shall monitor the prescribing and
7 dispensing of [all Schedule II, Schedule III, Schedule IV, and Schedule V controlled
8 dangerous substances] **THE FOLLOWING SUBSTANCES** by all prescribers and dispensers
9 in the State:

10 **(1) ALL SCHEDULE II, SCHEDULE III, SCHEDULE IV, AND SCHEDULE**
11 **V CONTROLLED DANGEROUS SUBSTANCES; AND**

12 **(2) GABAPENTIN.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 31,
14 2019, the Maryland Department of Health shall report to the Senate Finance Committee
15 and the House Health and Government Operations Committee, in accordance with §
16 2-1246 of the State Government Article, on whether the drug Gabapentin should be added
17 to a controlled dangerous substances schedule.

18 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
19 1, 2019.