

# SENATE BILL 984

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CF HB 1127

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By: Senator Klausmeier

Introduced and read first time: February 18, 2022

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – State Designated Exchange – Health Data Utility**

3 FOR the purpose of requiring the State designated exchange to operate as a health data  
4 utility for the State for certain purposes; requiring the Maryland Department of  
5 Health, dispensers, and certain nursing homes and electronic health networks to  
6 provide certain data to the State designated exchange; requiring dispensers to  
7 submit certain prescription information to the State designated exchange; and  
8 generally relating to the State designated exchange operating as a health data  
9 utility.

10 BY adding to

11 Article – Health – General

12 Section 19–145

13 Annotated Code of Maryland

14 (2019 Replacement Volume and 2021 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 **19–145.**

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
20 INDICATED.

21 (2) “DISPENSER” MEANS A PERSON AUTHORIZED BY LAW TO  
22 DISPENSE, AS DEFINED IN § 12–101 OF THE HEALTH OCCUPATIONS ARTICLE, A  
23 PRESCRIPTION DRUG TO A PATIENT OR THE PATIENT’S AGENT IN THE STATE.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



3           **(B) THE STATE DESIGNATED EXCHANGE SHALL OPERATE AS A HEALTH**  
4 **DATA UTILITY FOR THE STATE.**

5 (C) THE PURPOSES OF THE HEALTH DATA UTILITY INCLUDE THE:

15 (D) THE FOLLOWING ENTITIES SHALL PROVIDE DATA TO THE STATE  
16 DESIGNATED EXCHANGE:

## 17 (1) THE DEPARTMENT;

## 22 (4) DISPENSERS.

23 (E) (1) THE PURPOSE OF THIS SUBSECTION IS TO:

24 (I) AUTHORIZE INDIVIDUALS AND ORGANIZATIONS INVOLVED  
25 IN THE TREATMENT AND CARE COORDINATION OF PATIENTS TO ACCESS, AS  
26 LEGALLY AUTHORIZED, A PATIENT'S MEDICATION HISTORY, INCLUDING  
27 MEDICATIONS PRESCRIBED FOR THE PATIENT; AND

**(3) THE PRESCRIPTION INFORMATION SHALL BE SUBMITTED:**

4 (I) BY ELECTRONIC MEANS;

5 (II) WITHOUT UNDULY INCREASING THE WORKLOAD AND  
6 EXPENSE ON A DISPENSER;

10 (IV) AS OTHERWISE REQUIRED BY REGULATIONS ADOPTED BY  
11 THE COMMISSION.

18 (F) THE STATE DESIGNATED EXCHANGE SHALL PROVIDE DATA, AS  
19 ALLOWED BY LAW, TO INDIVIDUALS AND ORGANIZATIONS INVOLVED IN THE  
20 TREATMENT AND CARE COORDINATION OF PATIENTS AND TO PUBLIC HEALTH  
21 OFFICIALS TO SUPPORT PUBLIC HEALTH GOALS, THAT MAY INCLUDE:

29 (3) ANY ADDITIONAL PATIENT INTERVENTIONS AND ACTIVITIES,  
30 INCLUDING CASE INVESTIGATION.

1                   (G) (1) THE COMMISSION, IN CONSULTATION WITH APPROPRIATE  
2 STAKEHOLDERS, SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

3                   (2) THE REGULATIONS SHALL INCLUDE:

4                   (I) THE SPECIFIC DATA REQUIRED TO BE PROVIDED UNDER  
5 SUBSECTION (D) OF THIS SECTION;

6                   (II) THE SPECIFIC PRESCRIPTION INFORMATION REQUIRED TO  
7 BE SUBMITTED UNDER SUBSECTION (E) OF THIS SECTION;

8                   (III) THE TIME FRAME FOR SUBMITTING PRESCRIPTION  
9 INFORMATION UNDER SUBSECTION (E) OF THIS SECTION;

10                   (IV) THE ELECTRONIC MEANS AND MANNER BY WHICH  
11 PRESCRIPTION INFORMATION IS TO BE SUBMITTED UNDER SUBSECTION (E) OF THIS  
12 SECTION; AND

13                   (V) PRESCRIPTION INFORMATION SUBMISSION  
14 REQUIREMENTS THAT ALIGN WITH THE DATA SUBMISSION REQUIREMENTS ON  
15 DISPENSERS OF MONITORED PRESCRIPTION DRUGS UNDER TITLE 21, SUBTITLE 2A  
16 OF THIS ARTICLE.

17                   SECTION 2. AND BE IT FURTHER ENACTED, That on or before January 1, 2024,  
18 the Maryland Department of Health, the Maryland Health Care Commission, and the State  
19 designated exchange shall submit a report to the General Assembly, in accordance with §  
20 2-1257 of the State Government Article, that identifies ongoing revenue sources to fund  
21 the activities required under § 19-145 of the Health – General Article, as enacted by Section  
22 1 of this Act.

23                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2022.