

# HOUSE BILL 1134

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By: **Delegates Taveras, Lehman, and Schindler**

Introduced and read first time: February 11, 2026

Assigned to: Health

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## A BILL ENTITLED

1 AN ACT concerning

2 **Pharmaceutical Drugs and Devices – Gifts to Health Care Professionals –**  
3 **Prohibition**

4 FOR the purpose of prohibiting sellers of certain pharmaceutical drugs and devices from  
5 giving or offering to give to health care professionals gifts in a calendar year that  
6 have a total combined retail value of more than a certain amount; and generally  
7 relating to gifts to health care professionals.

8 BY repealing and reenacting, without amendments,  
9 Article – Health – General  
10 Section 21–101(a), (f), and (g)  
11 Annotated Code of Maryland  
12 (2023 Replacement Volume and 2025 Supplement)

13 BY adding to  
14 Article – Health – General  
15 Section 21–1114 and 21–1207  
16 Annotated Code of Maryland  
17 (2023 Replacement Volume and 2025 Supplement)

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

20 **Article – Health – General**

21 21–101.

22 (a) In this title the following words have the meanings indicated.

23 (f) “Device” means any instrument, apparatus, or contrivance, or any part or  
24 accessory of an instrument, apparatus, or contrivance, that is intended:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) For use in the diagnosis, cure, mitigation, treatment, or prevention of  
2 human disease; or

3 (2) To affect the structure or any function of the human body for medical,  
4 surgical, or therapeutic purposes.

5 (g) (1) “Drug” means any substance or component of a substance:

6 (i) That is recognized in an official compendium;

7 (ii) That is intended for use in the diagnosis, cure, mitigation,  
8 treatment, or prevention of disease in human beings; or

9 (iii) Except for food, that is intended to affect the structure or any  
10 function of the human body.

11 (2) “Drug” does not include a device.

12 **21-1114.**

13 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
14 **INDICATED.**

15 (2) (I) **“GIFT” MEANS ANY PAYMENT, FOOD, ENTERTAINMENT,**  
16 **TRAVEL, SUBSCRIPTION, ADVANCE, SERVICE, OR ANYTHING ELSE OF VALUE**  
17 **PROVIDED TO A HEALTH CARE PROFESSIONAL, UNLESS THE HEALTH CARE**  
18 **PROFESSIONAL REIMBURSES THE COST AT FAIR MARKET VALUE.**

19 (II) **“GIFT” DOES NOT INCLUDE PEER-REVIEWED MEDICAL**  
20 **LITERATURE.**

21 (3) (I) **“HEALTH CARE PROFESSIONAL” MEANS:**

22 1. **AN INDIVIDUAL WHO IS:**

23 A. **LICENSED OR CERTIFIED UNDER THE HEALTH**  
24 **OCCUPATIONS ARTICLE; AND**

25 B. **AUTHORIZED TO PRESCRIBE OR RECOMMEND**  
26 **PRESCRIBED PRODUCTS;**

27 2. **A PARTNERSHIP OR CORPORATION COMPOSED OF**  
28 **THE INDIVIDUALS DESCRIBED IN ITEM 1 OF THIS SUBPARAGRAPH; OR**

1                   **3. AN OFFICER, AN EMPLOYEE, AN AGENT, OR A**  
2 **CONTRACTOR OF A PERSON DESCRIBED IN ITEM 1 OR 2 OF THIS SUBPARAGRAPH**  
3 **WHO IS ACTING IN THE COURSE AND SCOPE OF EMPLOYMENT OR A CONTRACT**  
4 **RELATED TO OR SUPPORTIVE OF THE PROVISION OF HEALTH CARE TO INDIVIDUALS.**

5                   **(II) “HEALTH CARE PROFESSIONAL” DOES NOT INCLUDE AN**  
6 **INDIVIDUAL EMPLOYED SOLELY BY A MANUFACTURER.**

7                   **(B) A PERSON THAT SELLS DRUGS OR DEVICES MAY NOT GIVE OR OFFER TO**  
8 **GIVE TO A HEALTH CARE PROFESSIONAL GIFTS IN A CALENDAR YEAR THAT HAVE A**  
9 **TOTAL COMBINED RETAIL VALUE OF MORE THAN \$50.**

10 **21-1207.**

11                   **A PERSON WHO VIOLATES § 21-1114 OF THIS TITLE IS GUILTY OF A**  
12 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000**  
13 **OR IMPRISONMENT NOT EXCEEDING 6 MONTHS OR BOTH.**

14                   **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
15 **October 1, 2026.**