

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 78
Finance

(Senator Ellis)

Public Health – Prostate-Specific Antigen Testing (Protect Our Prostate Act)

This bill requires a provider, when ordering a prostate-specific antigen (PSA) test during a patient encounter, to provide written information to the patient about the necessary preparation for ensuring accurate test results. If a clinical laboratory offers PSA testing without a provider order, the laboratory in which blood is drawn must provide written information to the patient about the necessary preparation for ensuring accurate test results. A laboratory must provide this information not later than three days before a scheduled appointment and make it available through in-person education. The bill also establishes standards for a clinical laboratory administering a PSA test. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: The bill does not directly affect governmental operations or finances.

Local Effect: The bill does not directly affect local governmental operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: A clinical laboratory administering a PSA test must:

- use testing assays that have been approved by the U.S. Food and Drug Administration;
- implement calibration of PSA test assays using World Health Organization International Standards or another nationally recognized reference standard;

- report PSA test results in nanograms per milliliter and include any reference range unique to the testing assay used;
- document and disclose to the ordering provider the test methodology, manufacturer, and lot number of the testing assay used; and
- participate in a clinical testing proficiency program relating to PSA tests that is recognized by the Clinical Laboratory Improvement Amendments or the College of American Pathologists.

Current Law: Under Maryland law, there are more than 50 mandated health insurance benefits that specified carriers must provide to their enrollees. Carriers must provide coverage for a medically recognized diagnostic examination that must include a digital rectal exam and a PSA blood test (1) for men between 40 and 75 years of age; (2) when used to guide patient management in monitoring the response to prostate cancer treatment; (3) when used for staging in determining the need for a bone scan in patients with prostate cancer; or (4) when used for male patients who are at high risk for prostate cancer.

The Maryland Department of Health (MDH) Cancer Prevention, Education, Screening, and Treatment Program provides and administers grants to local health departments to reduce cancer mortality and cancer disparities in Maryland. Funds may be used to provide prevention, early detection, and/or treatment services for seven-targeted cancers: lung and bronchus; colorectal; breast, cervical; prostate; skin (melanoma); and oral cancers.

Chapters 812 and 813 of 2024 require MDH to develop and implement a three-year public education campaign on prostate, lung, and breast cancer prevention that targets communities disproportionately impacted by those cancers. The campaign must provide educational information; promote cancer screenings; and provide information on legislation that reduces cost barriers to prevention services.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

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caw/jc

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