
CMDS

CLINIC MANAGEMENT AND DEVELOPMENT SERVICES, INC.

DATE: Tuesday, February 18, 2020
BILL: Senate Bill 521 – OTP Medical Director On-site Hours
COMMITTEES: Senate Finance Committee
The Honorable Delores Kelley, Chairwoman
POSITION: UNFAVORABLE

On behalf of Clinic Management and Development Services, Inc. (CMDS), and Turning Point Clinic, for which we provide management services, we submit the following testimony raising our concerns with Senate Bill 521, and request for an unfavorable report. Established in 2008, CMDS offers management and consulting services to individuals and groups who are passionate about serving the community through substance use disorder and mental health treatment.

Senate Bill 521 as introduced would require each opioid treatment services program to be under the direction of at least one on-site medical director; require the medical director to be on-site at the opioid treatment services program for at least 20 hours per week; and prohibits an opioid treatment services program from satisfying the medical director requirements through telehealth.

It is not clear what quality of care issues are being addressed by this bill. The practical implications of the bill exacerbate the challenges facing centers today and may create access to care issues for this vulnerable patient population. Baltimore City remains an epicenter of the substance abuse and opioid addiction epidemic. Treatment centers play a critical role in treating this crisis. Resources are already stretched thin and attracting medical treatment and provider staffing continues to be a challenge. Prohibiting the use of telehealth to satisfy the medical director requirements will create additional hardships for many programs struggling with staffing, especially smaller programs.

There is a current shortage of OTP Medical Directors in Maryland who meet COMAR 10.63 requirements updated in 2018. BHA recognizes the need to modify COMAR to more closely align with Federal regulations, to ensure OTPs' continued compliance and availability. Most OTP Medical Directors function in an administrative and oversight role. While Medical Directors can provide direct clinical care, the majority of medical care is provided by Program physicians and Advanced Practice Providers, such as Certified Nurse Practitioners and Physician Assistants. Advanced Practice Provider staff are on-site during OTP hours of operation and work within their professional scope of practice to provide necessary medical services. It's common for Medical Directors to divide their time across several OTPs. They are easily accessible for consultation as needed and provide ongoing supervision and training to Advanced Practice Provider medical staff.

It is almost surely true that there simply are not enough Medical Directors that satisfy COMAR to permit them to provide 20 on-site hours each week. A consequence of SB 521 would likely be the closure of numerous clinics due to the inadequate number of COMAR-qualified physicians, which negatively impacts quality, access and availability of opioid use disorder treatment, and will not improve OTP and community relations. **For the reasons noted above we respectfully ask for an UNFAVORABLE report.**