



Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

2020 SESSION POSITION PAPER

BILL NO: Senate Bill 166
COMMITTEE: Finance
POSITION: Support with Amendments

TITLE: Drugs and Devices – Electronic Prescriptions – Controlled Dangerous Substances

BILL ANALYSIS: This bill requires health practitioners, with prescriptive authority, to prescribe controlled dangerous substances through electronic means. Written amendments in the Criminal Law have included the addition of ‘electronic prescriptions’ alongside the current standards of written and oral prescriptions. Additional provisions in the Health – General Law include: exceptions for health practitioners that cannot electronically prescribe controlled dangerous substances, authorizations for the Secretary of Health to issue waivers, and regulations in which the pharmacist must follow.

POSITION AND RATIONALE: **The Board of Nursing supports this bill with the proposed amendments below.**

The Board is concerned that the Bill will affect and/or change prescriptive authority standards for Advanced Practice Registered Nurses (APRNs). Currently APRNs licensed in the State of Maryland are authorized to prescribe Schedule II – V controlled substances. There is additional concern regarding the ambiguity around language regarding the broad classification of medications in Title 5 of the Criminal Law Article.

We are proposing amendments to eliminate the requirement of a Health Occupations Board to discipline a health practitioner, and instead, allow for it to be an option at the discretion of the Board.

Thank you for your consideration of the Board’s position.

For more information, please contact Rhonda Scott, Deputy Director, at (410) – 585 – 1953 (rhonda.scott2@maryland.gov) or Karen E. B. Evans, Executive Director, at (410) – 585 – 1914 (karene.evans@maryland.gov)

AMENDMENT NO. 1

On Page 8, in line 24, strike “**SHALL**” and substitute “**MAY**”.

The opinion of the Board expressed in this document does not necessarily reflect that of the Department of Health or the Administration.