



Board of Physicians

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

February 20, 2020

Senator Delores G. Kelley, Chair
Senate Finance Committee
2 West, Miller Senate Office Building
Annapolis, Maryland 21401

Re: SB 166 - Drugs and Devices-Electronic Prescriptions - Controlled Dangerous Substances -
Letter of Information

Dear Chair Kelley:

This bill authorizes prescription drugs and devices, including controlled dangerous substances, to be prescribed electronically by amending the Criminal Law and Health General Articles. In some situations the bill makes electronic prescribing the required means of prescribing in some settings with limited exceptions, for individuals in settings such as nursing or assisted living facilities or for those receiving care in a hospice program or in an outpatient renal dialysis if the prescription is related to that care, and for a prescription written by a veterinarian.

The bill establishes a waiver process based on regulations developed by the Health Secretary and in collaboration with the Maryland Health Care Commission. Further the bill authorizes the Health Secretary to adopt another set of regulations that would among other things determine which health occupation boards would be required to take disciplinary action against a health care practitioner who violates the requirements of this law.

To conform with and be consistent with the disciplinary provisions in the Maryland Medical Practice Act, the Board of Physicians requests that on page 8, line 24 of the bill, the word "SHALL" be stricken and replaced by the word "MAY".

Consequently, the Board has no other issues with SB 166 with the above noted amendment.

Sincerely,

Mark Woodard
Health Policy Analyst II