



Committee: Senate Finance Committee

Bill Number: Senate Bill 710

Bill Title: Health General – Prescription Drug Monitoring Program – County Health Officer

Position: Oppose

Date: March 3, 2020

The Maryland Nurses Association opposes *Senate Bill 710 – Health General – Prescription Drug Monitoring Program – County Health Officer*. The bill would allow a local health department or local health officer access to data from the Prescription Drug Monitoring Program (PDMP) for the purposes of evaluating the distribution or abuse of a monitored prescription drug.

MNA has advocated for a balanced use of PDMP data. It should be primarily used as a clinical tool for providers in making prescribing decisions. In limited circumstances, the data can be used for further investigations of potential violations of standards of care. If public officials can access information for broader purposes, it could have an unintended chilling effect on prescribers being able to appropriately manage patients with chronic pain. We believe this bill does not take a balanced approach to the use of PDMP data as:

- It would allow local health departments to access to the data for virtually any reason falling under the general provision of “evaluating the distribution or abuse of a monitored prescription drug.” This is in contrast to existing law which general restricts access to some kind of bona fide investigation; and
- It appears to allow the health department to intercede directly with the provider or even the patient. If there is an issue with the provider, then it is the Department of Health or the health occupation board’s role to investigate. In terms of approaching a patient, there are other more appropriate avenues for health care providers to engage patients.

We ask for an unfavorable report. If we can provide any additional information, please contact Robyn Elliott at relliott@policypartners.net or (443) 926-3443.