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February 11, 2020

To: The Honorable Shane E. Pendergrass
Chair, Health and Government Operations Committee

From: Patricia F. O'Connor, Health Education and Advocacy Unit

Re: House Bill 316 (Public Health - Schedule II Controlled Dangerous Substances - Partial
Filling of Prescriptions): Support

The Office of the Attorney General's Health Education and Advocacy Unit (HEAU) supports House Bill 316's goal of reducing the amount of unused prescription CDS available for abuse or misuse. The bill would authorize CDS dispensing in a quantity less than the prescribed amount on request of the patient, with the remainder available for 60 days after the partial fill. Another authorized provider could dispense the remainder if the prescription is transferred.

The bill provides that a carrier must treat a prescription filled in parts as if the prescription had been filled at one time for the purpose of charging or collecting copay, co-insurance and deductible amounts. But questions are likely to arise: Would a patient pay in full for a partial fill? Would cost-sharing be based on the full prescription cost even if only partially filled? What if the patient changes from one plan to another in the 60 day period?

We ask the committee to give the bill a favorable report, with clarification to avoid potential confusion.

cc: Members of the Health and Government Operations Committee