

MedChi

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TO: The Honorable Paul G. Pinsky, Chair
Members, Senate Education, Health and Environmental Affairs Committee
The Honorable Stephen S. Hershey, Jr.

FROM: Pamela Metz Kasemeyer
J. Steven Wise
Danna L. Kauffman

DATE: February 16, 2021

RE: **SUPPORT** – Senate Bill 537 – *Pharmacists - Required Notification and Authorized Substitution - Lower-Cost Drug or Device Product*

The Maryland State Medical Society (MedChi), the largest physician organization in Maryland, **supports** Senate Bill 537.

This legislation allows a brand-named drug to be substituted for a generic drug by a pharmacist in the rare circumstance where the brand-named drug is less expensive to the consumer. This legislation is the cross-file of House Bill 429, and the history of the House legislation bears noting here. A different version of HB 429 was introduced in 2020 (HB 1119) and was opposed by MedChi because it would have allowed one brand-named drug to be substituted for another brand-named drug, something that physicians do not believe to be appropriate. However, the 2020 legislation was amended by the Health & Government Operations Committee to remove that provision and instead, simply allow a brand-named drug to be substituted for a generic drug if the former is more affordable for the consumer. The legislation passed the House but was not take up by the Senate due to the shortened session, and there was no cross-filed bill last year.

Senate Bill 537 and its House cross-file reflect the amendments that were made in the House in 2020, and as such MedChi supports the legislation.

For more information call:

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