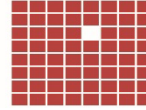




1211 Cathedral Street
Baltimore, MD 21201-5585
410-727-2237
e-mail: mdacep@aol.com
www.mdacep.org



**Maryland Chapter
AMERICAN COLLEGE OF
EMERGENCY PHYSICIANS**

The Maryland State Medical Society

1211 Cathedral Street
Baltimore, MD 21201-5516
410.539.0872
Fax: 410.547.0915

1.800.492.1056

www.medchi.org

TO: The Honorable Shane E. Pendergrass, Chair
Members, House Health and Government Operations Committee
The Honorable Joseline A. Pena-Melnyk

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

DATE: February 15, 2022

RE: **SUPPORT WITH AMENDMENT** – House Bill 462 – *Health Occupations – Authorized Prescribers – Reporting of Financial Gratuities or Incentives*

The Maryland State Medical Society (MedChi) and the Maryland Chapter of the American College of Emergency Physicians (MDACEP) **support with amendment** House Bill 462.

House Bill 462 requires all authorized prescribers, which includes physicians, to file with their health occupations board a financial disclosure reporting anything of value received from a pharmaceutical distributor or manufacturer.

MedChi and MDACEP do not object to the disclosure of this information, but strongly object to the reporting of information for a second time that is already well within the public domain. Indeed, a federal database already exists containing this exact information. It can be found at <https://openpaymentsdata.cms.gov/>, and lists anything valued at \$11 or more that has been provided to a physician by a distributor or manufacturer. The State's already overworked physicians do not support reporting information or establishing a new database when the same information is already made available at the federal level and is accessible by the Board of Physicians for its use.

If the General Assembly wishes to make it easier for the public to access this information while researching a particular physician's profile on the Board of Physicians website, we do not object to an amendment requiring the Board to provide a link to the Open Payments database along with other information about a physician. But we see no reason why an entirely separate reporting requirement or database containing the same information is necessary.

Finally, if the Board of Physicians determines that a physician is prescribing excessive amounts of medication while also taking financial gratuities from a manufacturer, there are existing disciplinary

grounds to address this. See Health Occ's, §14-404(a)(10), (a)(19) and (a)(27). The combination of the existing federal database and existing Maryland law give the Board all the tools it needs and makes this legislation unnecessary.

For these reasons, MedChi and MDACEP support House Bill 462 with amendments that delete the requirement of establishing a new database, but which instead provide a link to the federal database on the profile page of any licensed Maryland physician.

For more information call:

J. Steven Wise
Pamela Metz Kasemeyer
Danna L. Kauffman
Christine K. Krone
410-244-7000