



Board of Physicians

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Damean W.E. Freas, D.O., Chair

2022 SESSION POSITION PAPER

BILL NO.: HB 1127 – Public Health – State Designated Exchange – Health Data Utility
COMMITTEE: House Health and Government Operations Committee
POSITION: Letter of Concern

TITLE: Public Health - State Designated Exchange - Health Data Utility

BILL ANALYSIS: This bill requires dispensers to submit certain prescription information to the State designated exchange. Section 2 of the bill states that, on or before January 1, 2024, the Maryland Department of Health, the Maryland Health Care Commission (MHCC), and the State designated exchange shall submit a report to the General Assembly that identifies ongoing revenue sources to fund the activities described in the bill.

POSITION AND RATIONALE:

The Maryland Board of Physicians (the Board) is submitting this Letter of Concern regarding HB 1127. The Board licenses physicians and issues dispensing permits to physicians under certain circumstances. This bill will impose a new reporting requirement on dispensing physicians to submit certain prescription information to the State designated exchange. Dispensers already have requirements to report information regarding controlled dangerous substances (CDS) to the Prescription Drug Monitoring Program (PDMP). It appears this bill duplicates some reporting activities already required in Maryland; therefore, the Board suggests limiting the bill to non-CDS prescriptions.

The Board has concerns about Section 2 of the bill, which requires the submission of a report that identifies ongoing revenue sources to fund activities described in the bill. Title 19, Subtitle 1 of the Health-General Article permits the MHCC to assess a fee on all hospitals, nursing homes, payors, and health care practitioners for the MHCC Fund. In Fiscal Year 2021, the Board transferred \$701,870 of its revenue to the MHCC to pay the user fee on behalf of 26,995 practitioners who renewed Board licenses. Instead of collecting a \$26 user fee from each practitioner, the Board paid the fee to keep license renewal fees lower. The Board began this license renewal fee reduction in Fiscal Year 2020 and is scheduled to continue the reduction through June 30, 2023. The Board is concerned that if user fees are identified in the report as a type of revenue source, user fees due to the MHCC could increase and, in turn, Board licensure fees could be impacted.

Thank you for your consideration. For more information, please contact Matthew Dudzic, Manager of Policy and Legislation, Maryland Board of Physicians, 410-764-5042.

Sincerely,

A handwritten signature in blue ink, appearing to read "Damean W. E. Freas".

Damean W. E. Freas, D.O.
Chair, Maryland Board of Physicians

The opinion of the Board expressed in this document does not necessarily reflect that of the Maryland Department of Health or the Administration.