

**SB0200-803522-01 (1).pdf**

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SB0200/803522/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

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12:25:15

BY: Senator Lam  
(To be offered in the Finance Committee)

AMENDMENTS TO SENATE BILL 200  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 6, after “Board;” insert “authorizing the Board to grant a stay of enforcement of a Board order in accordance with the Administrative Procedure Act;”.

AMENDMENT NO. 2

On page 2, in line 15, after “(C)” insert “**(1) THE BOARD MAY GRANT A STAY OF ENFORCEMENT OF A BOARD ORDER IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.**

**(2)**”.

**POG Final Testimony SB 202 2-3-2023.pdf**

Uploaded by: Mat Rice

Position: FAV

## People on the Go of Maryland



### Senate Bill 202

#### Prescription Drug Affordability Board - Upper Payment Limits

Reestablishing the requirement that the Prescription Drug Affordability Board, under certain circumstances, draft a plan of action for implementing a process to set upper payment limits for certain prescription drug products; reestablishing the authority of the Board to set upper payments limits, under certain circumstances, for prescription drug products that are purchased or paid for by or through certain State or local government entities, plans, or programs; etc.

**Position: Favorable**

**Sponsored by Senator [Feldman](#)**

**February 8, 2023**

**Assigned To Senate Finance**

**Written by Mat Rice**

**Executive Director - People On the Go Maryland**

Honorable chairperson, and members of the Senate Finance Committee

People on the Go of Maryland, the statewide self-advocacy organization ran for and by those with intellectual and or developmental disabilities offers this written testimony in support of Senate Bill 202 (SB 202) which would allow the prescription drug affordability Board under certain circumstances to establish an upper limit for the prices of prescription drugs. Many People on the Go members rely heavily on prescription drugs due to their health needs. We hold the opinion that any measure which could be taken to make prescription drugs more affordable and accessible for everyone promotes the health and safety of Maryland as a whole. Moreover, this has the potential in the long-term to save lives, and have a positive economic impact on the state because when

people who need prescription drugs are able to get them they may not require as many visits to the hospital or urgent care centers. People should not be forced into a choice of paying for their food and shelter or their medicines. For all of the reasons outlined herein we respectfully request a favorable report for SB 202. Should you have any questions. Please contact Mat Rice.

Thank you,

Mat Rice, Executive Director

M: 410-925-5706

E: [mat@pogmd.org](mailto:mat@pogmd.org)

**6 - SB 200 - FIN - Chiro Bd - LOS.docx.pdf**

Uploaded by: State of Maryland (MD)

Position: FAV



# Board of Chiropractic Examiners

*Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.D.H., Acting Secretary*

*Joshua Levin, President – Sharon Oliver, Executive Director  
4201 Patterson Avenue, Baltimore MD 21215 Phone: 410-358-1879*

## 2023 SESSION POSITION PAPER

**BILL NO: SB 200**  
**COMMITTEE: Finance**  
**POSITION: Support**

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**TITLE:** Health Occupations – State Board of Chiropractic Examiners – Disciplinary Actions and Procedures

**BILL ANALYSIS:** The proposed Bill would authorize the State Board of Chiropractic Examiners (the Board) to take additional disciplinary action against a licensee who willfully fails to follow an order of the Board; prohibits the stay of a Board order pending a judicial review; authorizes the Board to appeal a decision that reverses or modifies its order; and clarifies a pathway to reinstate a suspended or revoked license of a rehabilitated chiropractor upon successful completion of the terms and condition of the Board’s order

**POSITION AND RATIONALE:** The Maryland Board of Chiropractic Examiners supports SB 200.

### **Additional Disciplinary Grounds 3-315**

From time to time, it is necessary for the Board to take disciplinary actions against a licensee who is found to have violated the Chiropractic Practice Act. Many disciplinary cases necessitate the imposition of a probation subject to terms and conditions in order to ensure that the Board can adequately monitor the licensee’s practice. These terms and conditions commonly require that the licensee: receive additional training in the form of coursework, obtain a Board-approved clinical mentor, or pay a fine. Currently, the Board has no specific disciplinary provision to address the circumstance when a practitioner decides not to comply with those terms and conditions.

Thus, the proposed statute would enable the Board to, if necessary, take additional disciplinary actions when an individual willfully fails to comply with a board order.

### **Judicial Appeal of Board Decision**

The Board recognizes that its mission is to protect the health and wellbeing of the citizens of Maryland. In all instances where a license is suspended or revoked after a hearing, the individual has the right to request a judicial review of the Board’s decision. Currently, the aggrieved licensee is also able to file a motion with the Circuit Court to stay the Board’s Final Order during the judicial appeal process.

To grant a stay of the Board's Order, and allow the individual whose license is suspended or revoked to continue the practice of chiropractic, is counter to the mission of protecting the citizens of Maryland. Suspension and revocation orders are issued in cases of proven egregious acts and behavior on the part of the licensee. The proposed bill removes the ability to stay the Board's decision to keep an egregious offender or violator from continuing to practice following suspension/revocation pending the outcome of the appeal. The proposed provision is consistent with provisions that at least eight (8) other health occupations have set forth in their respective practice acts.

### **Reinstatement**

Currently, the process for reinstating the license of a previously suspended or revoked individual is ambiguous. This amendment to the statute would provide a clear and unambiguous pathway for reinstating the license of an individual who is demonstrably rehabilitated and has successfully completed the terms and conditions of a suspension or revocation order.

The Board thanks you for your consideration and respectfully requests the Committee votes favorably on SB 200.

For more information, please contact Sharon J. Oliver, Executive Director at 410-764-5985 or [Sharon.oliver@maryland.gov](mailto:Sharon.oliver@maryland.gov), or Lillian Reese, the legislative liaison for the boards at 443-794-4757 or at [lillian.reese@maryland.gov](mailto:lillian.reese@maryland.gov).

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



**2023 MCA SB 200 SWA.pdf**

Uploaded by: Ashlie Bagwell

Position: FWA



## TESTIMONY ON BEHALF OF THE MARYLAND CHIROPRACTIC ASSOCIATION

### **Support with Amendments**

Senate Bill 200—Health Occupations-State Board of Chiropractic  
Examiners—Disciplinary Actions and Procedures  
Senate Finance Committee  
February 7, 2023

The Maryland Chiropractic Association (MCA) is a professional organization founded in 1928 and is the leading voice for chiropractors in Maryland. Comprised of individual members, our mission is to elevate the chiropractic profession by educating the public and advancing chiropractic care for the citizens of Maryland. We have weighed in on many issues concerning patient care, insurance and other issues of importance to our members as well as our patients and the general public.

Senate Bill 200 authorizes the State Board of Chiropractic Examiners to deny a license to an applicant to take specific action against a licensee, including but not limited to suspending or revoking a license, if the applicant or licensee fails to comply with any board order. The bill specifies that an order of the board may not be stayed pending judicial review and authorizes the board to appeal any decision that reverses or modifies its orders. If a license is suspended or revoked, the board may reinstate the license only in accordance with (1) the terms and conditions of the order of suspension or revocation or (2) an order of reinstatement issued by the board.

While we understand the Board's goal in Senate Bill 200, we respectfully request the following amendment:

On page 2, strike lines 15 and 16 and substitute:

(c) (1) the Board may, pursuant to the Administrative Procedure Act, grant a stay of the enforcement of a Board Order.

(2) An order of the Board may not be stayed pending judicial review.

The purpose of the amendment is to make clear for the Board and public that the Board, in its discretion, has the authority to stay its orders, but that a circuit court may not stay an order of the Board, except as provided in the Administrative Procedures Act, by its final decision that has reversed or modified an order of the Board.

With this amendment, we respectfully request a favorable vote.

*For more information or for questions, please call Robert Frieman, DC (410.668.4000) or Ashlie Bagwell (443.800.4506).*

# **OpposeSB200.pdf**

Uploaded by: Mark Meyerovich

Position: UNF

## Oppose SB200

Giving unchecked and broad powers to the unelected and unaccountable board will only empower bureaucratic meddling in doctors' affairs through arbitrary and dictatorial actions. There is extreme scarcity of specialists and alternative providers in the state, and intimidating them through actions of various boards will further reduce their availability. The net effect is reduced services and prolonged suffering of patients.