

**HB1156.senate.MPhA\_1.pdf**

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Position: FAV



**Date:** March 22, 2023

**To:** The Honorable Melony Griffith, Chair

**From:** Aliyah N. Horton, CAE, Executive Director, MPhA, 240-688-7808

**Cc:** Members, Senate Finance Committee

**Re:** **FAVORABLE HB 1156 – PHARMACIST – THERAPY MANAGEMENT CONTRACT - FORM**

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The Maryland Pharmacists Association (MPhA) and the Maryland Pharmacy Coalition fully support HB 1156 – PHARMACIST- THERAPY MANAGEMENT CONTRACT - FORM

- The bill has no opposition.
- The bill unanimously passed the House of Delegates.
- Updating the definition of a Drug Therapy Management Contract to a written, electronic, or verbal agreement ensures the original intent of patient informed consent remains intact while creating greater flexibility that expands patient access to medication management services via telemedicine.

**Maryland Pharmacy Coalition**

Maryland Chapter – American Society of Consultant Pharmacists

Maryland Pharmaceutical Society

Maryland Pharmacists Association

Maryland Society of Health System Pharmacists

University of Maryland Baltimore School of Pharmacy Student Government Association

University of Maryland Eastern Shore School of Pharmacy Student Government Association

Notre Dame of Maryland University School of Pharmacy Student Government Association

Affiliate Member – Maryland Association of Chain Drug Stores

Affiliate Member – University of Maryland Baltimore School of Pharmacy

Affiliate Member – University of Maryland Eastern Shore School of Pharmacy

Affiliate Member – Notre Dame of Maryland University School of Pharmacy

# **HB1156 Sponsor Testimony.pdf**

Uploaded by: Delegate Robbyn Lewis

Position: FAV

**ROBBYN LEWIS**  
*Legislative District 46*  
Baltimore City



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Health and Government Operations  
Committee

*Subcommittees*

Health Occupations and Long Term Care

Public Health and Minority  
Health Disparities

*House Chair*

Joint Committee on Program Open Space  
and Agricultural Land Preservation

**THE MARYLAND HOUSE OF DELEGATES**  
ANNAPOLIS, MARYLAND 21401

**Sponsor Testimony in Support of HB1156 – Pharmacists –  
Therapy Management Contract – Form**

**March 22, 2023**

Thank you, Chair Griffith, Vice-Chair Klausmeier, and members of the Finance Committee. I am Delegate Robbyn Lewis here on behalf of HB1156, which will streamline the drug therapy management contract process and lead to better patient outcomes.

The bill modernizes the contract process in two ways: first, by permitting the contract to be entered orally; and secondly, by permitting it to be documented in electronic form.

While this sounds like a simple, technical fix, it is important to understand why this matters.

It matters because health and healing require coordination of care. This is especially true in the case of chronic illnesses, including those whose treatment involves complex medications, or medications with high risk for dependence or abuse.

Drug therapy management is a voluntary, written arrangement that is disease–state specific between a pharmacist, physician and the person who is receiving care from that physician and pharmacist. These two providers must first have established a physician–pharmacist agreement; this agreement must include approved protocols for the patient’s specific disease conditions.

In closing, thank you for your consideration and I respectfully request a favorable report for HB1156.

A handwritten signature in black ink, appearing to read "Robbyn Lewis".

Delegate Robbyn Lewis

District 46, Baltimore City

# Therapy Management Contract Supplemental Informati

Uploaded by: Delegate Robbyn Lewis

Position: FAV

## **HB1156 – Pharmacists – Therapy Management Contract – Form**

### **Supplemental Document**

This type of care coordination is performed under a specific state regulation, that is, Md. Code Regs. 10.34.29.06.

Have coverage limitation(s) in place for medication(s) with a high risk for dependence and/or abuse, or

Meet the following criteria:

You have three or more of these conditions:

Asthma

Chronic Heart Failure (CHF)

Chronic Obstructive Pulmonary Disease (COPD)

Diabetes

Dyslipidemia

Hypertension

Chronic alcohol & drug dependence

HIV/AIDS

You take eight or more maintenance medications covered by your plan

You are likely to spend more than \$4,935 in prescription drug costs in 2023

A. A therapy management contract shall be signed by the:

- (1) Authorized prescriber or authorized prescribers involved in the management of the patient under a prescriber-pharmacist agreement;
- (2) Pharmacist or pharmacists involved in the management of the patient under a prescriber-pharmacist agreement; and

(3) Patient receiving care under the therapy management contract.

B. A therapy management contract shall contain:

(1) A list of allowable substitutions of chemically dissimilar drugs, if any;

(2) A statement that:

(a) None of the parties involved in the therapy management contract have been:

(i) Coerced into participating in the therapy management contract;

(ii) Given economic incentives, excluding normal reimbursement for services

rendered; or

(iii) Involuntarily required to participate in the therapy management contract; and

(b) The pharmacist shall notify the authorized prescriber under the terms of the prescriber-pharmacist agreement if the pharmacist:

(i) Modifies the dose or agent under the therapy management contract; or

(ii) Detects an abnormal result from an assessment activity;

(3) Notice to the patient stating:

(a) That the patient may terminate the therapy management contract at any time; and

(b) The procedure by which the patient may terminate the therapy management contract;

(4) A procedure for periodic review by the authorized prescriber of the drugs modified under the prescriber-pharmacist agreement or changed with the consent of the authorized prescriber,



- (5) A reference to the protocol or protocols under which the pharmacist shall act; and
- (6) Exceptions or limitations to the protocol or protocols for the specific patient.

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## DEPARTMENT OF HEALTH

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

### MARYLAND BOARD OF PHARMACY

Jennifer L. Hardesty, PharmD, FASCP, Board President — Deena Speights-Napata, MA, Executive Director

March 23, 2023

The Honorable Melony Griffith  
Chair, Finance Committee  
3 East, Miller Senate Office Building  
Annapolis, MD 21401-1991

#### **RE: House Bill 1156 – Pharmacists – Therapy Management Contract – Form**

Dear Chairwoman Griffith and Committee Members:

The Maryland Board of Pharmacy (Board) respectfully submits this letter of support for House Bill (HB) 1156 – Pharmacists – Therapy Management Contract – Form.

Currently, an authorized prescriber, patient, and pharmacist are required to sign a written therapy management contract before a pharmacist provides treatment in accordance with a predetermined protocol. § 12-6A-01. HB 1156 would also permit verbal consent, and then require the parties to reduce the verbal agreement to writing within 30 days. § 12-6A-07(c).

A therapy management contract is essential to ensuring that a patient provides informed consent prior to receiving a course of treatment, including drug therapy, laboratory tests, and medical devices, predetermined by an authorized prescriber and licensed pharmacist. The Board supports streamlining the initiation of treatment by permitting acceptance of a verbal therapy management contract.

The Board respectfully requests a favorable report on HB 1156.

If you would like to discuss this further, please do not hesitate to contact Deena Speights-Napata, MA, Executive Director at [deena.speights-napata@maryland.gov](mailto:deena.speights-napata@maryland.gov) or (410) 764-4753.

Sincerely,

Deena Speights-Napata, MA  
Executive Director