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SUPPORT: SB 161 - State Board of Physicians - Dispensing Permits

The Issue:

- Under the current process for physicians who wish to obtain a physician dispensing permit, a request for a permit is made to the Maryland Board of Physicians (Board) which sets the requirements and standards the requestor must meet.
- The enforcement of these requirements and standards through initial and routine inspections is then handled by the Office of Controlled Substances Administration (OCSA) and reports and violations are then sent back to the Board.
- Since disciplinary action related to violations during inspections is handled by the Board, when reports of violations are incomplete or missing evidence, this creates unnecessary delays when Board inspectors need to return to the offices of permit holders to conduct additional inspections of the alleged violations.
- There has not been a referral for criminal charges resulting from an OCSA investigation of a physician's office.

What Does SB 161 Do?

- SB 161 will transfer the inspection requirements of physician's offices so that the Board is responsible for inspecting dispensing permit holders instead of the OCSA
- SB 161 will remove physician-related language from the Health Occupations §12-102, Md. Annotated Code (the Pharmacy Act) into Title 14 (the Maryland Medical Practice Act).
- The Board will be responsible for the inspection of physician's offices within six months after the dispensing permit is issued and once every two years the dispensing permit is renewed. If there are violations found related to dangerous and controlled substances the Board will notify the OCSA.

How Does SB 161 Help?

- SB 161 will alleviate unnecessary delays in conducting inspections by transferring the responsibility of inspecting permit holders from the OCSA to the Board.
- It will minimize instances of these delays in the investigative process and expedite the Board's ability to conduct disciplinary action.
- This will increase patient protection and be a more cost-effective and quicker process for dispensing permit inspections.