



Date: February 13, 2023

To: The Honorable Jocelyn Pena-Melnyk, Chair

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

Cc: Members, Health and Government Operations Committee

Re: **OPPOSED HB 241 – State Board of Physicians - Dispensing Permits**

The Maryland Pharmacists Association (MPhA) strongly opposes **HB 241 – State Board of Physicians - Dispensing Permits**. The bill serves to remove key oversight of physician dispensing from the Office of Controlled Substances Administration to the regulatory body responsible for the physician practice act; and reduce key continuing education requirements.

- The bill removes the provisions that a physician allow OCSA to inspect physician dispensing offices and report to Maryland Board of Physicians on their findings.
 - MPhA has maintained that OCSA enforce the current laws and inspect the offices of dispensing prescribers on a routine basis and report to the respective licensing boards with their inspection findings.
 - The independent power of OCSA to enforce Controlled Dangerous Substance (CDS) registrations must be maintained to be able to act swiftly in revoking and suspending the permits of bad actors.
 - The oversight of physician dispensing must be up to par with the requirements for other entities that dispense or handle controlled substances.
 - Physician dispensers should not be held to a lesser standard or treated differently than other practitioners and entities engaged in similar dispensing roles. Currently OCSA investigations and oversight includes – practitioners, pharmacies, hospitals, distributors, nursing homes, assisted living facilities, Methadone programs, drug/alcohol programs, animal control facilities and more.
- The bill also removes the requirement for physician dispensers to complete of 10 hours of continuing education over 5 years.
 - The current requirement is only **TWO hours** of training per year for a physician to receive education on preparing and dispensing prescription drugs.
 - The current requirement is reasonable given the opioid crisis in Maryland, and the need to reinforce Maryland CDS laws.
 - Physicians who are prescribing and dispensing must stay up-to-date on the Centers for Disease Controls prescribing and dispensing guidelines and other critical information related to pain management.

MARYLAND PHARMACISTS ASSOCIATION (MPhA)

Founded in 1882, MPhA is the only state-wide professional society representing all practicing pharmacists in Maryland. Our mission is to strengthen the profession of pharmacy, advocate for all Maryland pharmacists and promote excellence in pharmacy practice.