



Board of Physicians

Wes Moore, Governor · Aruna Miller, Lt. Governor · Harbhajan Ajrawat, M.D., Chair

2024 SESSION POSITION PAPER

BILL NO.: HB 1132 - Drugs, Biological Products, and Devices - Off-Label Use - Promotion
COMMITTEE: Health and Government Operations
POSITION: Letter of Information

The Maryland Board of Physicians (the Board) is submitting this letter of information for House Bill (HB) 1132 - Drugs, Biological Products, and Devices - Off-Label Use - Promotion.

HB 1132 authorizes healthcare providers to engage in the truthful promotion of off-label uses of drugs, biological products, and devices and prohibits a regulatory unit from taking disciplinary action, including revoking, suspending, or failing to renew a license, for engaging in the truthful promotion of off-label uses of a drug, biological product, or device. However, HB 1132 does not define or expand on what is considered “truthful promotion”. The Board is requesting clarification on the definition of “truthful promotion”.

The Board would also like to clarify that the promotion of off-label uses of drugs, biological products, and devices is not a disciplinary ground for any health occupation regulated by the Board. Disciplinary action may only be taken for a situation that involves the promotion of an off-label use of a drug, biological product, or device if a violation of a disciplinary ground occurs in conjunction with the off-label promotion of a drug, biological product, or device.

Thank you for your consideration. For more information, please contact Matthew Dudzic, Manager of Policy and Legislation, 410-764-5042, or Madeline DelGreco, Health Policy Analyst, 443-591-9082.

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