

**Sponsor Testimony - Delegate Aaron Kaufman**  
**HB 1493 - Prescriptions for Children Subject to Shared Custody or Visitation**  
**Schedules**

**Thursday, March 13, 2025**

**Health and Government Operations Committee**

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Good afternoon, Chair Pena-Melnyk, Vice Chair Cullison and esteemed colleagues. I am Delegate Kaufman, representing District 18, Montgomery County.

I am requesting a favorable report on HB 1493 - Prescriptions for Children Subject to Shared Custody or Visitation Schedules. Senator Nick Charles asked me to be the cross-file on this bill.

This bill requires health care providers to issue two prescriptions for each drug prescribed to a child if a parent presents a court-ordered or court-approved shared custody or visitation schedule. This bill includes safeguards against the issuing of multiple prescriptions and overprescribing. Medication would be divided between the parents proportionally to the amount of time the parent spends with the child. This bill was endorsed by the Maryland Rural Health Association in 2024.

Children of parents in shared custody or visitation arrangements often have logistical difficulties managing their medication. This results in missed doses, miscommunication, and can often be a point of conflict.

Children of divorce have enough challenges. Under current laws, medication can be split between parents voluntarily, but this option is often disregarded due to parental disputes. As a result, parents and children need to move their medication every time they move between parents. Creating separate prescriptions for separate households allows parents to handle the logistics of medication separately, removing medication as an issue in divorce. This bill

removes unnecessary stress and ensures children will never have their medication be a point of conflict between their parents.

Research shows children of divorce have significantly increased likelihood of missing doses. Missed doses can have huge negative effects on children's health and wellbeing. Nearly 60% of the U.S. pediatric population is living with a chronic illness that requires a strict treatment regimen, and deviating from worsening symptoms and prolonged discomfort. Adherence to these treatment plans varies from 11% to 93% (El-Rachidi et al., 2017). This variance is a result of barriers to medication adherence. Splitting medication between parents removes some of those barriers and will improve adherence to prescribed treatments, reducing missed doses, and ensuring better overall health for children.

Insurance companies have raised concerns about this bill being difficult to implement. I've been testifying before this committee since 2007, and I have never seen insurance companies not oppose requirements. Why is the simple act of splitting a prescription too difficult and costly for multi-million dollar corporations? This bill provides for the health and safety of our children.

This is an issue that has garnered the attention of other state legislatures, including: Kentucky, Indiana, Arizona and South Dakota all have statutes related to this issue. In Kentucky, the statute states: "The Parents shall strive to ensure consistency in the child's routine and discipline. If the child has been prescribed medication or treatment, parent 1 (the primary parent) shall provide a sufficient amount of medication, any necessary medical equipment, and appropriate instructions for each visit." Indiana code states: "If a child is taking prescription medication or under a health care directive, the custodial parent shall provide the non-custodial parent with a sufficient amount of medication and instructions whenever the non-custodial parent is exercising parenting time. Medical instructions from a health care provider shall be followed."

Again this bill is needed because it puts children's health first, reduces parental conflict, protects children and limits efforts by parents to use children and medication as pawns in their marital conflicts.

For those reasons I strongly urge a favorable report on HB 1493. Thank you for your time, I'm happy to answer any questions.