



Wes Moore, Governor · Aruna Miller, Lt. Governor · Ryan Moran, DrPH, MHSA, Acting Secretary

Board of Podiatric Medical Examiners
4201 Patterson Avenue, Third Floor
Baltimore, Maryland 21215

March 13, 2025

The Honorable Joseline A. Peña-Melnyk
Chair, Health and Government Operations Committee
Room 241, Taylor House Office Building
Annapolis, Maryland 21401

RE: HB 1493 - Health Occupations – Prescriptions for Children Subject to Shared Custody or Visitation Schedules - Letter of Concern

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Board of Podiatric Medical Examiners (the “Board”) is submitting this Letter of Concern for HB 1493 - Health Occupations – Prescriptions for Children Subject to Shared Custody or Visitation Schedules.

While the Board understands the intent behind the proposed legislation, there are several significant concerns regarding its implementation and impact on patient care:

1. Increased Burden on Practitioners

Requiring practitioners to calculate and issue separate prescriptions based on custody arrangements imposes an undue administrative burden. This process not only detracts from their ability to focus on patient care but also places them in a position where they are expected to mediate or enforce custody agreements, which is outside the scope of their professional responsibilities.

2. Involvement in Custody Disputes

This legislation risks entangling healthcare providers in child custody disputes, potentially undermining the patient-practitioner relationship. Practitioners should remain neutral and focused on the medical needs of the child, rather than becoming arbitrators in disagreements between parents.

3. Insurance Coverage Challenges

Issuing two prescriptions could create issues with insurance coverage, as many plans

may not accommodate split prescriptions. This could result in out-of-pocket costs for one or both parents, further complicating access to necessary medications.

4. Potential Delays in Treatment

Disagreements between custodial parents regarding prescription fulfillment could lead to delays in a child receiving critical medications. The health and well-being of the child should not be compromised due to logistical or custodial conflicts.

The Board urges you to consider the bill's unintended consequences on both healthcare providers and the children it seeks to protect and recommends exploring alternative solutions that address custody-related medication concerns without placing unnecessary burdens on practitioners or risking delays in care.

For these reasons, the Board respectfully requests an unfavorable report on HB 1493.

If you would like to discuss this further, please contact Eva Schwartz, Executive Director for the Board of Podiatric Medical Examiners at (410)764-4784 or at eva.schwartz@maryland.gov, or Lillian Reese, the Legislative Liaison for the Health Occupations Boards & Commissions at 443-794-4757 or at lillian.reese@maryland.gov.

Sincerely,

A handwritten signature in cursive script that reads "Eva Schwartz".

Eva Schwartz MS, MT, SBB(ASCP)
Executive Director
Board of Podiatric Medical Examiners

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