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March 10, 2026

The Honorable Senator Pamela Beidle
Chair, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, Maryland 21401

Re: SB 695 - Consumer Protection – Driver’s License and ID Card Swiping – Regulation

Dear Chair Beidle,

On behalf of the Consumer Healthcare Products Association (CHPA), the Washington, D.C. based national trade organization representing the leading manufacturers of over-the-counter (OTC) medicines, dietary supplements, and OTC medical devices, thank you for the opportunity to comment on SB 695. While we support the bill's goal of strengthening consumer control over personal data, we must oppose it in its current form. Specifically, the bill conflicts with federal regulations governing controlled substances data collection. Adding language to ensure compliance with these federal requirements would resolve our concerns.

Federal and State Law

The Controlled Substances Act (CSA), also referred to as the Comprehensive Drug Abuse Prevention and Control Act, was enacted by Congress in 1970 with the aim of regulating the production, distribution, and utilization of controlled substances. As per 21 U.S.C. Section 830 of this Act, individuals or entities involved in transactions concerning listed chemicals (such as pharmacies selling allergy medications containing ephedrine or pseudoephedrine) are obligated to gather and retain identifiable personal records pertaining to these transactions and to share the data with law enforcement as required. Building upon this federal framework, many Maryland retailers utilize the Precursor Log Exchange (NPLeX) system, which provides real-time electronic monitoring of pseudoephedrine (PSE) sales across the state. Unfortunately, this bill does not provide an exemption for such transactions from its privacy provisions.

Amendment Recommendations

To avoid potential conflict with already existing federal law, CHPA recommends the following amendment to SB 695 as subpart VII, after line 24, on page 3:

[\(VII\) In order to comply with the requirements of the federal policy under the Controlled Substances Act Section on the Regulation of Listed Chemicals under 21 U.S.C. SEC. 830.](#)

Conclusion

CHPA and its members are deeply committed to protecting our customers' privacy and data security. While we appreciate your focus on this important issue, the current version of this bill raises significant concerns. We remain open to constructive dialogue and collaboration to develop a more balanced approach that addresses all stakeholders' needs.

Respectfully submitted,

A handwritten signature in blue ink that reads "Carlos I. Gutiérrez". The signature is written in a cursive style with a large, stylized "G" at the end.

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