



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Meena Seshamani, M.D., Ph.D., Secretary

2026 SESSION MARYLAND BOARD OF PHARMACY POSITION PAPER

BILL NO: SB 778 – Clinical Research Pharmacies and Clinical Trials – Permits, Ownership, and Definition of Practice of Medicine
COMMITTEE: Finance Committee
POSITION: Letter of Opposition

TITLE: SB 778 – Clinical Research Pharmacies and Clinical Trials – Permits, Ownership, and Definition of Practice of Medicine

BILL ANALYSIS : The primary purpose of the bill is to facilitate clinical research by establishing new regulatory frameworks for specialized pharmacies and medical practice definitions. The bill establishes a “clinical research pharmacy permit” issued by the State Board of Pharmacy and these pharmacies are defined as establishments that exclusively compound, dispense, or distribute drugs as part of scientific research conducted under Institutional Review Board protocols. The bill also allows a licensed healthcare provider to hold an ownership interest in a clinical research pharmacy.

POSITION AND RATIONALE:

The Maryland Board of Pharmacy submits this letter opposition to express significant concerns regarding Senate Bill 778, specifically the provisions under §12-102(c)(2)(vii) which permit a health care provider to hold an ownership interest in a clinical research pharmacy.

When physicians who serve as investigators also seek ownership in a pharmacy dispensing investigational drugs, the inherent conflict of interest is amplified. Financial incentives tied to study drug dispensing may influence enrollment, continuation, adverse-event assessment, and reporting, thereby compromising participant safety, informed consent, and the independence of pharmacy oversight. Given the heightened vulnerability of research participants and the experimental nature of investigational therapies, strict separation between investigators and dispensing entities is essential to protect human subjects and maintain research integrity and ensure solid checks and balances.

Furthermore, a pharmacist is licensed as an independent practitioner who has a separate and distinct role in ensuring that drugs dispensed are clinically appropriate. However, a pharmacist's

clinical independence would be significantly impaired if the prescriber of the drugs to be dispensed is also the pharmacist's employer. It is equally important to note that current law already permits a physician to own up to 10% of a pharmacy, thereby making this bill unnecessary

The Board is committed to finding ways to best support clinical innovation without compromising the integrity of Maryland's healthcare system.

For more information, please contact Julie Gaskins, Legislative Liaison, Maryland Board of Pharmacy (410) 764-4709.

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