



**TESTIMONY BY VINCENT DEMARCO
BEFORE THE SENATE FINANCE COMMITTEE
IN OPPOSITION TO SB 837
March 2, 2026**

Madam Chair, Vice-Chair Hayes, and Members of the Senate Finance Committee, thank you for the opportunity to testify today, respectfully **in opposition of Senate Bill 837**. I am here on behalf of the Maryland Health Care for All Coalition and our broad Prescription Drug Affordability Coalition, as we feel this legislation would pose significant unintended risk to the effectiveness of our state's Prescription Drug Affordability Board (PDAB).

We thank this Committee for your leadership in creating the PDAB and giving it the authority to make high cost drugs more affordable first for state and local governments and soon for all Marylanders. We are hopeful that soon the PDAB will be using this authority to save Marylanders tens of millions of dollars per year in the cost of expensive drugs, just as Colorado has already done in the case of Enbrel. We are very concerned that SB 837 would undermine the PDAB's ability to accomplish this critically important work and there is no compelling policy reason to link utilization management mechanisms to the work of the PDAB and no upside to the additional complexity being proposed. Therefore, we support the PDAB in opposing the legislation.

Although SB 837 has the laudable purpose of protecting consumers from undue delays in obtaining needed drugs, it unnecessarily does this in a way which could greatly complicate the work of the PDAB. The PDAB, whose sole purpose is to make high cost drugs more affordable, would be forced to consider complex utilization management issues at every step of its process. This we believe would cause substantial additional delays in what has already been necessarily a long process. This would also interfere with the cost review process in ways that could result in unintended consequences and act as preemptive interference in the cost reviews performed. In addition, it is very important to note that the PDAB's cost review process does not relate to the factors important in utilization reviews. Therefore, the connections proposed in this legislation would unnecessarily and substantially delay when people could get access to the lower cost drugs they urgently need.

We appreciate this committee's dedicated work toward ensuring all Marylanders have access to affordable medications and acknowledge the sponsors' intent to provide further patient protections; however, we do not feel that this legislation will best serve this purpose and may in fact impede the important work of our PDAB. **We therefore urge an Unfavorable Report on SB 837.**