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TO: The Honorable Thomas Mac Middleton, Chairman
Members, Senate Finance Committee

FROM: Joseph A. Schwartz, III
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DATE: January 30, 2014

RE: **SUPPORT WITH AMENDMENT** – Senate Bill 296 – *Prescription Drug Monitoring Program – Sunset Extension and Program Evaluation*

The Maryland State Medical Society (MedChi), which represents more than 8,000 Maryland physicians and their patients, supports Senate Bill 296 with amendment.

One purpose of the legislation is to direct the Department of Legislative Services to conduct a full evaluation of the Maryland Prescription Drug Monitoring Program (PDMP) on or before December 1, 2017. Consistent with that direction, the current sunset provision for the Maryland PDMP is extended from July 2016 to July 2019.

The Maryland PDMP is an Internet based program which collects all prescription drug encounters in the State. This PDMP information is then available, not only to doctors and pharmacies but to various law enforcement officials. The Maryland PDMP was created a number of years ago but only became operational in December 2013 so that there is no current ability to evaluate its effectiveness. MedChi is supportive of the PDMP, particularly as it would allow a doctor to determine whether a particular patient was “doctor shopping” as the doctor could see whether the patient had recently been prescribed narcotics by a another prescriber.

MedChi is puzzled, however, by one provision of Senate Bill 296 which deletes the current requirement that the Technical Advisory Committee of the PDMP reviews all law enforcement requests by way of subpoena to the PDMP. Senate Bill 296 no longer requires such review if the requester is the “...authorized administrator of another state’s prescription

drug monitoring program.” (page 3, lines 11-12) MedChi does not understand why an out-

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of-state administrator should be given greater rights than Maryland licensing entities. In enacting the Maryland PDMP program, one of the key amendments was the creation of a Technical Advisory Committee which would have the job of providing “clinical guidance and interpretation.” The original draft of the PDMP legislation was heavily “law enforcement” with little clinical input from physicians or other prescribers. Creation of the Technical Advisory Committee was one amendment designed to make the Maryland PDMP more of a health based tool than just a law enforcement tool.

MedChi would support Senate Bill 296 but believes that out-of-state administrator request for information from the Maryland PDMP should be reviewed by the Technical Advisory Committee just as all other requests are reviewed.

For more information call:

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