

# SCHWARTZ, METZ & WISE, P.A.

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TO: The Honorable Peter A. Hammen, Chair  
Members, House Health & Government Operations Committee  
The Honorable Kathy Afzali

FROM: Pamela Metz Kasemeyer  
J. Steven Wise  
Danna L. Kauffman

DATE: March 8, 2016

RE: **OPPOSE** – House Bill 399 – *Lyme Disease – Laboratory Test – Required Notice*

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On behalf of MedChi, the Maryland State Medical Society (MedChi), the Mid-Atlantic Association of Community Health Centers (MACHC), and the Maryland Chapter of the American Academy of Pediatrics (MDAAP), we oppose House Bill 399.

House Bill 399 requires a health care provider who orders a laboratory test for Lyme Disease to provide the patient with a specific notice related to the validity of Lyme Disease testing, that once again attempts to memorialize clinic practice in statute. Not only does the bill attempt to dictate clinical practice, but the notice itself may not be clinically valid. Furthermore, even if one were to argue that the notice is valid at this point in time, the effectiveness of diagnostic testing, as well as the diagnosis and treatment of Lyme Disease will change over time as is true with virtually all clinical care. Requiring providers to distribute a prescribed notice when ordering a laboratory test undermines physician/patient communication and memorializes clinical care at a point in time when it is never static. An unfavorable report is requested.

**For more information call:**

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