

MedChi

The Maryland State Medical Society

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TO: The Honorable Melony Griffith, Chair
Members, Senate Finance Committee
The Honorable Clarence K. Lam

FROM: Ashton DeLong, General Counsel

DATE: January 31, 2023

RE: **OPPOSE** – Senate Bill 64 – *HIV Prevention Drugs – Prescribing and Dispensing by Pharmacists and Insurance Requirements*

The Maryland State Medical Society (“MedChi”), the largest physician organization in Maryland, **opposes** Senate Bill 64.

This legislation would allow a pharmacist to prescribe and dispense post-exposure prophylaxis to patients who have recently been exposed to HIV. The bill further would allow a pharmacist to order an HIV test for a patient after the pharmacist “screens” the patient.

While MedChi recognizes the value of early intervention when responding to HIV exposure, we are concerned that the recommended medical care, counseling, and other services that should be provided post-exposure are not part of the training and experience of a pharmacist. Unlike physicians, pharmacists are not normally permitted to order tests without a prescription from a prescriber and are not trained to “screen” patients. Moreover, it is our view that aspects of the required counseling may require a broader understanding of a patient than just the HIV exposure itself, and a pharmacist would need more medical training in order to administer this counseling.

To be clear, we recognize that there is another part of this legislation that relates to insurance coverage and prohibits the application of step therapy or imposition of cost-sharing requirements, and MedChi does not object to those provisions.

For the reasons set forth above, MedChi opposes Senate Bill 64 and asks the Committee to give this legislation an unfavorable report.