



The Maryland State Medical Society

March 13, 2019

The Honorable Shane Pendergrass
Room 241
House Office Building
Annapolis, MD 21401

RE: Support House Bill 1288: Physicians – Dispensing Permit Exemption –
Prepackaged Topical

Dear Chair Pendergrass:

On behalf of the undersigned organizations, we are writing in strong support of H.B. 1288. While the Maryland Pharmacy Act states that a person must be licensed by the pharmacy board to practice pharmacy in the state, physicians are not explicitly prohibited from preparing and dispensing a prescription from a physician, physician assistant with whom the physician has an authorized delegation agreement, or a certified nurse practitioner who works with the physician in the same office setting. The latter two scenarios were codified in Chapter 116 of the 2016 Laws of the State of Maryland; however, the dispensing of a physician's prescription, specifically of a prepackaged topical, is not covered under that statute.

The number of Maryland physicians who dispense prepackaged topicals is small and the Office of Controlled Substances Administration (OCSA) has advised that authorizing these physicians to dispense prepackaged topicals without a permit would not materially affect OCSA. Strengthening that analysis is an advisement from the Maryland Board of Physicians that concurs with OCSA that any revenue reduction due to this policy would be minimal at most.

For these reasons, we urge you to support H.B. 1288. We appreciate the opportunity to work with the committee to enact legislation that protects physicians from burdensome permitting requirements. Please do not hesitate to contact Patrick Hermes, ASPS's Director of Advocacy and Government Relations, at phermes@plasticsurgery.org or Gene Ransom, Executive Director of MedChi, at gransom@medchi.org | 410-539-0872 with any questions.

Sincerely,

MedChi
Maryland Society of Plastic Surgeons
American Academy of Dermatology Association
American Academy of Facial Plastic and Reconstructive Surgery
American Society for Aesthetic Plastic Surgery
American Society for Dermatologic Surgery Association
American Society for Laser Medicine and Surgery, Inc.
American Society of Plastic Surgeons

cc: Members, House Health and Government Operations Committee