



The Maryland State Medical Society

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MEDCHI HIGHLIGHTS NEW HEALTH LAWS THAT BEGAN OCTOBER 1

BALTIMORE, October 5, 2020 — MedChi, The Maryland State Medical Society, has a mission to serve as Maryland's foremost advocate and resource for physicians, their patients, and the public health. Gene Ransom, MedChi CEO, states “Even during a pandemic, MedChi closely tracked all of the legislation during the 2020 Session and there are several new health care laws that took effect October 1, 2020.” Here is an overview of what is now in place.

The following mental health law has taken effect:

- Senate Bill 441/House Bill 332 authorizes Maryland Department of Health, in the list of emergency facilities published annually related to emergency mental health evaluations, to include comprehensive crisis response centers, crisis stabilization centers, crisis treatment centers, and outpatient mental health clinics. The bill also alters the definition of “health care provider” as it pertains to the confidentiality of medical records to include a comprehensive crisis response center, a crisis stabilization center, and a crisis treatment center.

The following health care facility laws have taken effect:

- House Bill 663 alters the definition of “pharmacist” to include a pharmacist licensed by another state to dispense monitored prescription drugs for purposes of the Prescription Drug Monitoring Program (PDMP). The bill also adds failure to comply with the requirements of the PDMP to disciplinary grounds for dentists, physicians, and physician assistants by the appropriate health occupations board.
- House Bill 935/Senate Bill 728 requires the Maryland Department of Health to establish by regulation procedures for ensuring that an anesthesia practitioner is not precluded from providing the highest level of anesthesia support that may be required to safely treat patients undergoing procedures in a “nonsterile procedure room” or a “sterile operating room” in a freestanding ambulatory surgical facility.

The following public health and environmental laws have taken effect:

- House Bill 286 requires that the stakeholders convened by the Secretary of Health as part of the Maternal Mortality Review Program must include families of women who have experienced a near maternal death, a high-risk pregnancy, other challenges during pregnancy, or a maternal death or women who have experienced a near maternal death, a high-risk pregnancy, or other challenges during pregnancy.
- House Bill 1564 broadens the list of emergency facility personnel authorized to request that a peace officer stay with an emergency evaluatee to now include physicians, physician assistants, nurse practitioners, or other advance practice professionals.
- Senate Bill 477/House Bill 1462 renames the Emergency Use Auto-Injectable Epinephrine Program at Institutions of Higher Education to be the Emergency Use Auto-Injectable Epinephrine Program, and expands eligible participants to include any food service facility in the State that voluntarily participates in the program.

- Senate Bill 18 makes changes to the current Commission's charges by deleting responsibilities that are no longer relevant and adding new and more relevant responsibilities such as case management, lead paint abatement service provider education, and blood lead testing

Lastly, here are the health insurance laws that have taken effect:

- House Bill 455/Senate Bill 334 requires carriers to submit two reports (March 1, 2022 and March 1, 2024) to the Insurance Commissioner to demonstrate compliance with the federal Mental Health Parity and Addiction Equity Act (Parity Act) and provide information on benefits.
- House Bill 601 provides that a carrier may not reject a provider who provides community-based health services for a program accredited for participation on the carrier's provider panel solely because the provider is a registered psychology associate.

To review any bill in its entirety, please go to www.mgaleg.maryland.gov.

About MedChi

MedChi, The Maryland State Medical Society, is a non-profit membership association of Maryland physicians. It is the largest physician organization in Maryland. The mission of MedChi is to serve as Maryland's foremost advocate and resource for physicians, their patients and the public health of Maryland. For more information, please visit www.medchi.org.