



The Maryland State Medical Society

News: For Immediate Release

Additional Information Contact:

Gene M. Ransom, CEO

Office: 410-539-0872 x 3305

MEDCHI HIGHLIGHTS NEW HEALTH REGULATIONS TO BEGIN IN OCTOBER 2019

BALTIMORE, September 30, 2019 — MedChi, the Maryland State Medical Society, is dedicated to our mission to serve as Maryland's foremost advocate and resource for physicians, their patients, and the public health. In an effort to keep our doctors and the public informed, MedChi closely tracked all of the legislation during the 2019 Session and there are several new health care laws that will take effect October 1, 2019. Here is an overview of what to expect come October 1.

There are several substance abuse and behavioral health initiatives that will be beginning:

- House Bill 25 (Chapter 531) outlines the many revisions that are being mandated for the Prescription Drug Monitoring Program.
- House Bill 116 (Chapter 532) establishes specified programs of “opioid use disorder” screening, evaluation, and treatment in local correctional facilities and in the Baltimore Pre-trial Complex that the state must fund. It also establishes requirements for screening, treatment, and reporting data.
- House Bill 427/Senate Bill 403 (Chapter 360/Chapter 359) requires the Behavioral Health Administration (BHA) to allow an eligible individual to request enrollment in, and allow an immediate family member of an eligible individual to request voluntary enrollment for the individual in, an existing authorized pilot program for outpatient civil commitment. The BHA must include specified information in its annual report for individuals admitted into the program both voluntarily and involuntarily.
- House Bill 829 (Chapter 551) prohibits a carrier from rejecting a provider who provides community-based health services for an accredited program for participation on the carrier’s provider panel solely because of their license.

The following scope of practice and health care facility regulations will begin:

- House Bill 1288 (Chapter 535) allows a physician to receive a special written permit for the dispensing of certain topical medications. Unlike the full dispensing permit, to qualify for this permit, the physician must pay \$100 and take five CMEs.
- House Bill 316 (Chapter 502) requires all physicians to report any vaccinations provided to the State’s ImmuNet system. Providers can either report directly through their electronic health record or through a separate State portal.
- Senate Bill 940 (Chapter 474) changes the definition of ambulatory surgical center from having two operating rooms to three operating rooms and removes the capital threshold requirement for triggering a CON approval requirement.
- House Bill 646/Senate Bill 597 (Chapter 415/Chapter 416) requires evaluation of the State Health Plan for hospitals and increases the hospital capital expenditure threshold.
- Senate Bill 773 (Chapter 525) modifies the law regarding expert witnesses by defining the term “professional activities”, increases the amount of time one can spend as an expert, establishes that once the expert is qualified in the case they remain qualified, and sets rules for when and whether the case can be re-filed if the expert is determined to not comply with the Rule.

The following public health regulations will also begin:

- House Bill 1169 (Chapter 396) will increase the minimum age for tobacco products and electronic smoking devices to 21 years of age, except for military personnel.
- Senate Bill 356/House Bill 583 (Chapter 449/Chapter 450) requires the Maternal Mortality Review Program to make recommendations to reduce any disparities in the maternal mortality rate, including recommendations related to social determinants of health. The program must also include in its annual report a section on racial disparities that contains specified information.
- House Bill 796 (Chapter 448) authorizes the establishment of local maternal mortality review teams while maintaining the State program.
- House Bill 1183/Senate Bill 251 (Chapter 727/Chapter 728) clarifies current law with respect to a minor's right to consent to prevention for HIV or PReP.
- House Bill 124/Senate Bill 299 (Chapter 440/Chapter 441) prohibits individuals under the age of 18 from using a tanning bed.
- House Bill 1233 lowers Maryland's blood lead level threshold for investigation to be consistent with national CDC standards.

Lastly, here is the health insurance regulation that will begin:

- House Bill 258/Senate Bill 239 (Chapter 597/Chapter 598) continues the health insurance provider assessment established for Calendar Year 2019 through 2023. The bill also requires the State to seek clarification on whether the assessment can apply to MCOs. Lastly, the bill requires the Maryland Health Insurance Coverage Protection Commission to study and make recommendations on whether the State Reinsurance Program should be extended after Calendar Year 2023 and, if so, how it will be funded.

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.