



MARYLAND HEALTH CARE COMMISSION
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Thursday, March 14, 2011

Minutes

Chair Moon called the public meeting to order, via conference call, at 8:00 a.m., to discuss legislative bills to be heard that week.

Commissioners present: Conway, Falcone, Fleig, Kan, Lyles, McLean, Olsen, Petty, Weinstein, and Worthington.

ITEM 1.

Legislation: SB 883 – Prescription Drug Monitoring Program

Rex Cowdry, Executive Director, said that Carolyn Quattrocki of the Governor's Legislative Office, and Fran Phillips, DHMH's Deputy Secretary for Public Health will participate on the call to describe the developments on the bill and to answer any questions that arise. Dr. Cowdry said this year's Prescription Drug Monitoring Program bill has the following differences from last year's legislation: 1) it is an Administration bill because of the Governor's support of the concept; 2) it creates a stand-alone database within the Department of Health and Mental Hygiene instead of using the health information exchange; 3) it eliminates the multidisciplinary consultation team composed of providers and dispensers that was included in last year's bill; and 4) it provides for interstate exchange of information about recipients of controlled substances, a requirement of the new version of the federal grant program. The Administration proposed amending a Section to require that the Department conduct a technology assessment in consultation with the Commission. The Commission conveyed two additional concerns and proposed the following amendments to address them. The Commission strongly recommended that the PDMP Board should be granted explicit authority to examine an information request from a professional licensing board or law enforcement organization, and then take one of the following actions: release the information; in the case of an administrative subpoena, withhold the requested information; or, in the case of a judicial subpoena, ask the court to quash the subpoena. The Commission also proposed an amendment to clarify that the re-release of information by a licensed provider to another licensed provider solely for treatment purposes and in a manner otherwise consistent with State and federal law is neither a misdemeanor nor a cause for disciplinary action by a licensing board. After discussion, the sense of the Commission was to support SB 883 with the discussed amendments.

ITEM 2.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:50 a.m.