

Robert E. Moffit, Ph.D.
CHAIR



Ben Steffen
EXECUTIVE DIRECTOR

MARYLAND HEALTH CARE COMMISSION

4160 PATTERSON AVENUE – BALTIMORE, MARYLAND 21215
TELEPHONE: 410-764-3460 FAX: 410-358-1236

**Friday, February 15, 2019
Via Teleconference**

Minutes

Commissioners present: Pollak, Boyle, Hammersla, McCarthy, Thomas, and Tomarchio.

AGENDA ITEM 1.

Welcome and Roll Call

Ben Steffen, Executive Director, opened the meeting. Megan Renfrew, Chief of Government Affairs and Special Projects, took roll call of the Commissioners in attendance.

AGENDA ITEM 2.

Update of Activities

Mr. Steffen noted the completion of the Commission’s budget hearings before the House and Senate legislative committees and reported that these hearings went well. Mr. Steffen described the questions that Commission staff received from legislators during the hearings.

Ms. Renfrew stated that the written testimony submitted by the Commission for bill hearings during the week of February 11 is posted on the Commissioner’s website. Notes on the hearings are in the tables attached to the agenda for this meeting. Ms. Renfrew also mentioned that the hearing for HB 247, the bill which would have required the Commission to study the surgical birth rate, focused on a compromise position that would include an extension of a collaborative effort on C-Sections with Maryland birthing hospitals through the Maryland Patient Safety Center. Finally, Mr. Steffen noted that the electronic prescriptions bill (HB 409) had numerous opponents at the bill hearing

AGENDA ITEM 3.

ACTION: Discussion of Positions on Bills with Hearings during Week of February 18

Mr. Steffen provided a brief overview of the bills that are up for discussion in this meeting. Ms. Renfrew provided additional detail on the staff recommended positions.

HB0696 / SB0430: Maryland Health Care Commission-Authorized Prescribers -Reporting of Financial Gratuities or Incentives

This bill would require prescribers in Maryland, including doctors and advanced practice nurses, to report gifts and other financial transactions from pharmaceutical manufacturers and distributors. Commission staff stated that this data collection effort is duplicate of the Centers for Medicare & Medicaid Services “Open Payments” program, which collects this data from drug manufacturers. The text of the proposed State bill does not make clear what the collected data is to be used for or why this data collection is necessary. It was noted that individual providers are not as well equipped as manufacturers to report this information. The Commission also has concerns about operationalizing this program and providing credible oversight of prescriber compliance, given the current bill text. Commission staff recommend submitting a letter of concern that details these issues. The Commissioners agreed with this approach. Staff and Commissioners discussed whether posting a link to the federal program’s website on the Commission’s website would be helpful.

ACTION: The Commission will submit a Letter of Concern for HB 696 and SB 430.

SB0506: Maryland Department of Health - Mental Health and Substance Use Disorder Services - Needs Assessment Study

This bill requires a study of behavioral health and substance use disorder treatment needs and capacity in Maryland. Ms. Renfrew provided an overview of the bill and the draft letter of information that was shared with Commissioners before the meeting. The draft letter of information notes that the Commission publishes an annual report on psychiatric beds in acute general and special hospitals and related information that could be useful for the study. The Commissioners and staff discussed how the implementation of study and task force bills can strain resources in thinly staffed State agencies. Commissioners also discussed what is viewed as the ongoing crisis in capacity for behavioral health treatment, particularly for placing patients from emergency departments. This led to a discussion of a proposed bill that would allow for the expansion of inpatient psychiatric hospital beds for existing special psychiatric hospitals and inpatient psychiatric units in general hospitals. The Commission will submit a letter of information on this topic.

ACTION: The Commission will submit a Letter of Information for SB 506.

AGENDA ITEM 4.

Overview of Upcoming Activities

It was noted that there would not be a legislative call on February 22, 2019. The material that is normally covered in this meeting will be covered during the February 21 Commission meeting. Staff will provide materials next week.

AGENDA ITEM 5.

ADJOURNMENT

There being no further business, the meeting was adjourned at 8:35 a.m. by consensus.