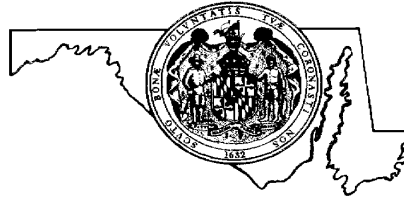


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EXECUTIVE DIRECTOR



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Legislative Policy Conference Call
Friday, January 31, 2020

Meeting Summary

Ben Steffen, Executive Director started the meeting at 8:00 a.m.

Commissioners present: Boyle, Doordan, Pollack

AGENDA ITEM 1.

Welcome and Roll Call

Mr. Steffen welcomed Commissioners to the meeting and took roll call of Commissioners and Commission staff joining the conference call.

AGENDA ITEM 2.

Update of Activities

Mr. Steffen provided an update on the status of Senate Bill 106: Health Care Facilities - Certificate of Need - Exception for State-Owned Facilities. The Senate Finance Committee voted unfavorably on the bill, so this bill will not move forward this legislative session. Commission staff will work with the Maryland Department of Health (MDH) to reevaluate the bill for the 2021 legislative session.

On January 30th, 2020, the Health and Government Operations Committee held a briefing on the Commission's report on health insurance benefits mandates. Mr. Steffen and Megan Renfrew, Chief of Government Affairs and Special Projects, presented. Questions from Committee members focused on how the cost of mandates has changed over time. Commission staff will follow-up with the Maryland Insurance Administration and payers on the questions from Committee members.

AGENDA ITEM 3.

Vote on Staff Recommended Positions on Bills with Hearings Next Week

Ms. Renfrew and David Sharp, the Director for Health Information Technology and Innovative Care Delivery, presented on Senate Bill 166, [SB 166](#) Drugs and Devices- Electronic Prescriptions - Controlled Dangerous Substances.

This bill seeks to clarify that use of electronic prescriptions is allowed for Controlled Dangerous substances. A similar bill was introduced last year, which the Commission opposed. The sponsor worked with industry and stakeholders over the summer to reach compromise. Commission staff expect that MedChi and Nurses will support the bill this year. The Maryland Department of Health would prefer the Department version of the bill, House Bill 692. The Attorney General's Office is suggesting amendments to the bill due to concerns about antitrust issues with the primary industry advocate for the bill, Surescripts, as well as consumer protections.

The Federal Drug Enforcement Administration has allowed electronic prescribing for controlled dangerous substances (CDS) since 2010. The Federal Centers for Medicare & Medicaid Services will require use of electronic prescriptions for CDS for Medicare starting in 2021. A number of states have also required electronic prescribing for CDS (and California requires electronic prescriptions for all prescriptions).

Mr. Steffen suggested that a letter of information addressing differences between HB 692 (the MDH bill) and SB 166. Commissioners discussed this approach, asked questions of staff about the differences between the bills, and agreed that this approach is appropriate. Because no quorum was present, no vote was taken.

AGENDA ITEM 4.

Overview of Upcoming Activities

Ms. Renfrew reviewed key legislative dates that occur before the February 20, 2020 Commission meeting, including the February 7 House Introduction Deadline and the MHCC budget briefings on February 13 and February 17.

Mr. Steffen provided an update on the status of the non-CDS electronic prescription record bill, another bill proposed by the Commission. This bill was being drafted by the Department of Legislative Services at the time of this meeting. Once a draft is available, staff will circulate it to Commissioners.

AGENDA ITEM 5.

Adjournment

Mr. Steffen brought the meeting to an end at approximately 8:30 a.m.