

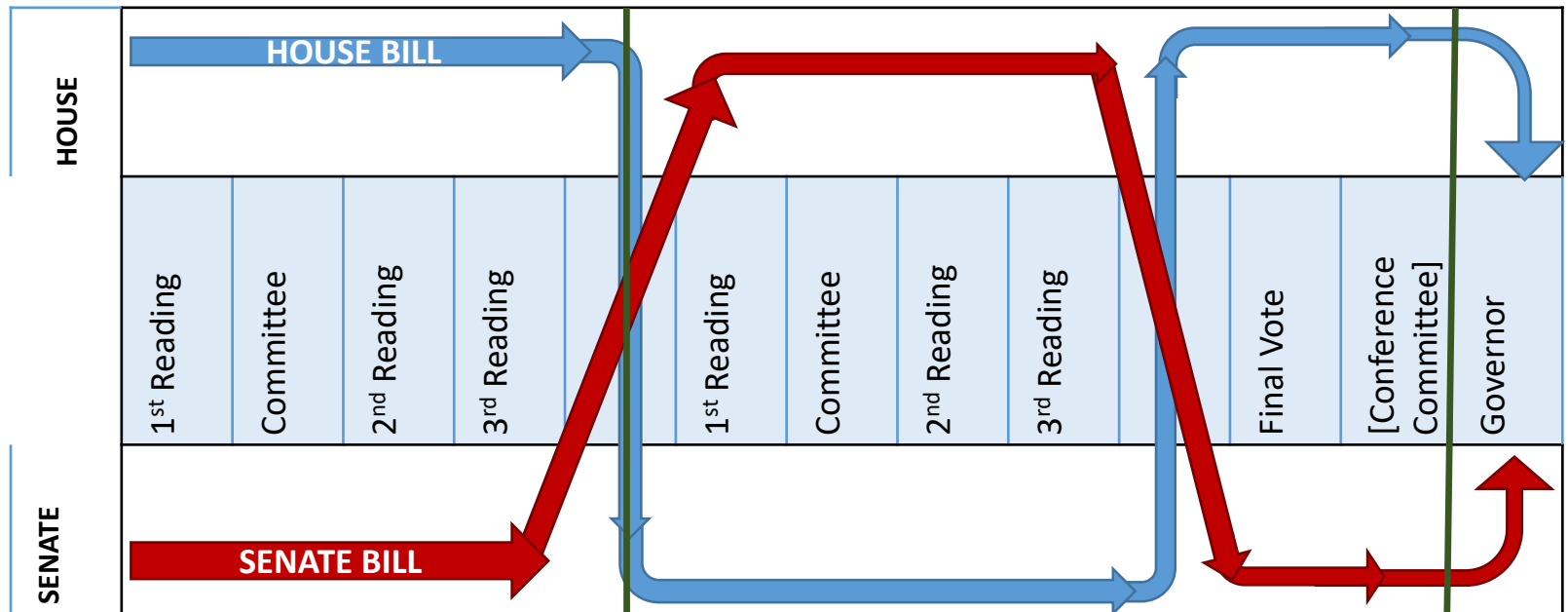


Legislative Update

Maryland Health Care Commission

March 19, 2020

Legislative Process



**Original 3/16:
Cross-Over Date**

**Original 4/6:
Sine Die**

NEW: Recess by 3/18, reconvene in May

Bill Status: MHCC Priorities

[SB 106](#) – Health Care Facilities – Certificate of Need – Exception for State-Owned Facilities

- Removed State-owned facilities from CON requirements.
- **Failed in committee.**

[HB 1486](#) / [SB 752](#) – Public Health – Non–Controlled Substance Prescription Record System Program.

- Creates a central repository, similar to the PDMP, but for non-controlled dangerous substances.
- MHCC had 2 year workgroup on topic.
- **Failed in subcommittee.**

[HB 1095](#)/ [SB 669](#) – Public Health – Prescription Drug Affordability Board and Fund

- Provides a funding source for the PDAB (permitting PDAB to reimburse MHCC for loan).
- **Both Bills Passed**

Bill Status: Budget Bills

HB 150 / SB 190 Budget Bill (Fiscal Year 2021)

- The Senate bill passed.
- The Senate Bill includes a \$33,473,132 appropriation for the Maryland Health Care Commission
- MHCC has not been assigned any projects in the budget reports.
- The Senate Committee Report does direct HSCRC submit several reports, including an evaluation of the MDPCP program and a report on HSCRC's policies with respect to hospital profits.

HB 152 / SB 192 Budget Reconciliation and Financing Act of 2020

- The Senate bill passed.
- The Maryland Health Care Commission's budget is not impacted by this bill as currently drafted.

Bill Status: Other Bills of Interest (1/4)

[HB 935](#) / [SB 728](#) – Health Facilities – Freestanding Ambulatory Care Facilities – Administration of Anesthesia – *Support with Amendment*

- amends OHCQ's statute to make sure that practitioners administering anesthesia have access to all medical resources to safely care for their patients. The bill was prompted by anesthesiologists who want access to anesthesia machines in procedure rooms in ASFs.
- The Maryland Society of Anesthesiologists and MHCC worked together to reach a compromise.
- **Both bills passed.**

[HB 512](#) / [SB 166](#) – Drugs and Devices – Electronic Prescriptions – Controlled Dangerous Substance – *Information*

- Clarifies the use of electronic prescriptions for controlled dangerous substances
- Note: Medicare requires e-scripts for controlled dangerous substances in 2021
- **Both bills passed.**

Bill Status: Other Bills of Interest (2/4)

[HB 1572](#) – Intermediate Care Facilities – Substance-Related Disorder Treatment Services – Review and Certificate of Need

- Exempts ICFs for substance and alcohol treatment from CON; increased BHA's oversight.
- **No committee hearing.**

[HB 998 / SB 501](#) – Maryland Loan Assistance Repayment Program for Physicians and Physician Assistants – Administration and Funding

- Moves the administration of the MLRAP from the Office of Student Financial Assistance to the Maryland Department of Health.
- Provides an authorization for additional funding for the program.
- **Both bills Passed**

Bill Status: Other Bills of Interest (3/4)

[HB 915 / SB 632](#) – Health Facilities - Hospitals - Disclosure of Outpatient Facility Fees (Facility Fee Right-to-Know Act)

- requires hospitals to provide patients with written, oral, or electronic notices of outpatient facility fee at the time appointments are made, and the patient must acknowledge this information before the appointment.
- **Both bills Passed**

[HB 926](#) – Hospitals and Freestanding Medical Facilities – Closing or Partial Closing – Public Notice

- Increased MHCC's responsibility for providing public notice and notice to elected officials for hospital and FMF closures and partial closures.
- **Bill failed in Committee;** Vice Chair asked that MHCC work with sponsor.

Bill Status: Other Bills of Interest (4/4)

Telehealth Bills

- [HB 1208](#) Maryland Medical Assistance Program - Telehealth - Pilot Program. **Passed.**
- [SB 502](#) Telehealth – Mental Health and Chronic Condition Management Services – Coverage and Pilot Program. **Passed.**
- [HB 448](#)/[SB 402](#) Health Care Practitioners – Telehealth **Both Bills Passed.**

Insurance Mandate Bills

- [HB 852](#)/[SB 661](#) Health Insurance - Prostate Cancer Screening - Prohibiting Cost-Sharing. **Both Bills Passed.**
- [HB 781](#)/[SB 988](#) Health Insurance - In Vitro Fertilization – Revisions. **Both Bills Passed.**
- [HB 447](#)/[SB 475](#) Health Insurance - Pediatric Autoimmune Neuropsychiatric Disorders – Coverage. **Senate Bill Passed.**