



MARYLAND Department of Health

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Robert R. Neall, Secretary

June 29, 2018

The Hon. Thomas M. Middleton, Chair
Senate Finance Committee
3 East Senate Office Building
Annapolis, Maryland 21401

The Hon. Shane E. Pendergrass, Chair
House Health and Government Operations Committee
241 House Office Building
Annapolis, Maryland 21401

Re: Prescription Drug Monitoring Program, House Bill 437, Chapter 147 (2016), Section 9
Contingency Determination

Dear Chairs Middleton and Pendergrass:

The Maryland Department of Health (the “Department”) has previously reported significant increases toward registering all controlled dangerous substance (CDS) prescribers and pharmacists with Maryland’s Prescription Drug Monitoring Program (PDMP) registration mandate of House Bill 437 (2016), Chapter 147 of the 2016 Laws.

For the PDMP to become an effective clinical tool to address the opioid epidemic, the Department must require prescribers of controlled dangerous substances (“CDS”) and pharmacists to use the PDMP when prescribing or dispensing an opioid in certain situations. Section 3 (the Use Mandate) of House Bill 437 (2016) grants the Department this authority only after Section 9 of House Bill 437 (2016) is satisfied.

The Department has determined that the contingencies under Subsection (a) of Section 9, HB 437 are satisfied, and therefore we activate the Use Mandate, effective July 1, 2018.

This determination was made in consultation with the PDMP Advisory Board, the Joint Committee on Behavioral Health and Opioid Use Disorders, and stakeholders. In addition, the Department has reviewed the technical capabilities of the PDMP; activation of the use mandate is consistent with protecting the health and safety of Marylanders.

Please see the attached appendix for an in-depth explanation of the Section 9 Contingencies, our data supporting those contingencies being met, and an explanation of the use mandate. If you have any questions, please contact me or Webster Ye, Deputy Chief of Staff, at webster.ye@maryland.gov or (410) 767-6480.

Sincerely,

Robert R. Neall
Secretary

cc:

The Hon. Katherine Klausmeier

The Hon. Eric M. Bromwell

Co-Chairs, Joint Committee on Behavioral Health and Opioid Use Disorders

Barbara J. Bazron, Ph.D., Deputy Secretary, Behavioral Health Administration

Howard Haft, M.D., Deputy Secretary, Public Health Services

Clay Stamp, Executive Director, Opioid Operational Command Center

Christine Farrelly, Executive Director, Board of Physicians

Deena Speights-Napata, Executive Director, Board of Pharmacy

Karen Evans, Executive Director, Board of Nursing

Tony Torain, Executive Director, State Board of Dental Examiners

Eva Schwartz, Executive Director, Board of Podiatric Medical Examiners

Vanessa Orlando, Executive Director, Board of Veterinary Medical Examiners

David Smulski

Lisa Simpson

Sarah Albert, MSAR# 10790

Simon Powell

Michael Baier

Kate Jackson

Audrey Clark

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