

HB1127/693923/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1127
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with the second “the” in line 4 down through “networks” in line 5 and substitute “dispensers”; in line 7, after “exchange;” insert “requiring the State designated exchange to establish a certain consumer advisory council;”; and after line 23, insert:

“(3) “NONCONTROLLED PRESCRIPTION DRUG” MEANS A PRESCRIPTION DRUG, AS DEFINED IN § 21-201 OF THIS TITLE, THAT IS NOT A CONTROLLED DANGEROUS SUBSTANCE DESIGNATED UNDER TITLE 5, SUBTITLE 4 OF THE CRIMINAL LAW ARTICLE.”

On page 2, in line 1, strike “(3)” and substitute “(4)”.

AMENDMENT NO. 2

On page 2, in line 5, strike the second “THE”; in line 8, strike “HEALTH CARE AND PUBLIC HEALTH LEADERS” and substitute “THE DEPARTMENT, LOCAL HEALTH DEPARTMENTS, THE COMMISSION, AND THE HEALTH SERVICES COST REVIEW COMMISSION”; in line 10, strike “FROM” and substitute “BETWEEN”; in line 15, strike “THE FOLLOWING ENTITIES” and substitute “DISPENSERS”; strike beginning with the colon in line 16 down through “DISPENSERS” in line 22; in line 28, after the second comma, insert “THE DEPARTMENT,”; and in line 29, strike “PUBLIC HEALTH OFFICIALS” and substitute “LOCAL HEALTH DEPARTMENTS”.

On page 3, in line 1, after the first “A” insert “NONCONTROLLED”; in line 7, after “MANNER” insert “THAT MINIMIZES BURDEN AND DUPLICATION BY BEING”; in the same line, after “EXISTING” insert “FEDERAL STANDARDS FOR”; in line 18, strike

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“SHALL” and substitute “MAY”; strike beginning with “TO” in line 19 down through “GOALS,” in line 21 and substitute “FOR PUBLIC HEALTH PURPOSES”; strike beginning with “UNDERSTANDING” in line 22 down through “OF” in line 23 and substitute “IMPROVING HEALTH EQUITY THROUGH ACCESS TO”; in line 25, after “ASSISTING” insert “PROGRAMS LED BY”; in the same line, strike “, CARE MANAGERS,”; in line 26, strike “PUBLIC HEALTH OFFICIALS IN IDENTIFYING” and substitute “THE DEPARTMENT, LOCAL HEALTH DEPARTMENTS, THE COMMISSION, AND THE HEALTH SERVICES COST REVIEW COMMISSION TO IDENTIFY”; strike beginning with “TO” in line 26 down through “EFFECTIVELY,” in line 27 and substitute “FOR QUALITY IMPROVEMENT,”; and strike beginning with “ANY” in line 29 down through “INVESTIGATION” in line 30 and substitute “CONDUCTING CASE INVESTIGATIONS AND RELATED ACTIVITIES”.

AMENDMENT NO. 3

On page 3, after line 30, insert:

“(G) INFORMATION SUBMITTED TO THE STATE INFORMATION EXCHANGE OR PROVIDED BY THE STATE INFORMATION EXCHANGE UNDER THIS SECTION SHALL BE SUBMITTED OR PROVIDED, TO THE EXTENT PRACTICABLE, IN AS NEAR TO REAL TIME AS POSSIBLE.”.

On page 4, in line 1, strike “(G)” and substitute “(H)”; in line 3, after “SHALL” insert “TAKE INTO ACCOUNT CONSUMER PERSPECTIVE AND”; in line 12, strike “AND”; and in line 16, after “ARTICLE” insert “; AND”

(VI) IDENTIFICATION AND NECESSARY SUPPRESSION OF INFORMATION RELATED TO PROVIDERS OR MEDICATIONS THAT ARE DETERMINED TO HAVE SIGNIFICANT POTENTIAL TO CAUSE HARM.

(1) (1) THE STATE DESIGNATED EXCHANGE SHALL ESTABLISH A CONSUMER ADVISORY COUNCIL TO BRING THE PERSPECTIVES OF INDIVIDUALS AND ORGANIZATIONS WITH AN INTEREST IN PROTECTING CONSUMERS INTO THE DELIVERY OF SERVICES PROVIDED BY THE STATE DESIGNATED EXCHANGE.

(2) IN SELECTING MEMBERS, THE STATE DESIGNATED EXCHANGE SHALL CONSIDER DIVERSITY OF EXPERIENCE.

(3) THE CONSUMER ADVISORY COUNCIL ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:

(i) CONSIST OF A MINIMUM OF SIX MEMBERS, INCLUDING AT LEAST FOUR CONSUMER REPRESENTATIVES AND TWO STAFF REPRESENTATIVES, AND MAINTAIN A RATIO OF CONSUMER REPRESENTATIVES TO NONCONSUMER REPRESENTATIVES OF A LEAST TWO TO ONE;

(ii) IDENTIFY AND REPORT CONSUMER PRIVACY CONCERNS TO SENIOR LEADERSHIP OF THE STATE DESIGNATED EXCHANGE;

(iii) ADVISE ON EFFORTS TO EDUCATE CONSUMERS ON DATA EXCHANGE POLICIES, INCLUDING OPTIONS FOR CONSUMERS TO OPT OUT OF DISCLOSURE OF PROTECTED HEALTH INFORMATION;

(iv) MEET AT LEAST 3 TIMES EACH YEAR; AND

(v) ADOPT AND MAINTAIN A CHARTER TO BE POSTED ONLINE THAT INCLUDES THE PURPOSE, MEMBERS, AND MEETING SCHEDULE OF THE CONSUMER ADVISORY COUNCIL”.