

Department of Legislative Services
 Maryland General Assembly
 2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1111 (Delegates Beitzel and McComas)
 Health and Government Operations

Prescription Drug Monitoring Program - Prescribers of Opioids - Notification Requirement

This bill requires a prescriber who prescribes or dispenses an opioid dosage of 50 morphine milligram equivalents or more to notify the Prescription Drug Monitoring Program (PDMP) as to whether the patient (1) has received education on the risks associated with opioid use; (2) is aware that an opioid overdose reversal drug is available; and (3) was prescribed or dispensed an opioid overdose reversal drug. A prescriber may not be required to make this notification more than once for each patient.

Fiscal Summary

State Effect: General fund expenditures increase by as much as \$471,100 in FY 2023 for information technology (IT) changes and staff. Future years reflect the elimination of one-time costs and annualization. Revenues are not affected.

(in dollars)	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	471,100	96,200	98,600	100,900	103,300
Net Effect	(\$471,100)	(\$96,200)	(\$98,600)	(\$100,900)	(\$103,300)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: Chapter 166 of 2011 established PDMP to assist with the identification and prevention of prescription drug abuse and the identification and investigation of unlawful prescription drug diversion. PDMP must monitor the prescribing and dispensing of Schedule II through V controlled dangerous substances (CDS). As of July 1, 2017, all CDS dispensers are required to register with PDMP. As of July 1, 2018, prescribers are required to (1) request at least the prior four months of prescription monitoring data for a patient before initiating a course of treatment that includes prescribing or dispensing an opioid or a benzodiazepine; (2) request prescription monitoring data for the patient at least every 90 days until the course of treatment has ended; and (3) assess prescription monitoring data before deciding whether to prescribe or dispense – or continue prescribing or dispensing – an opioid or a benzodiazepine. A prescriber is not required to request prescription monitoring data if the opioid or benzodiazepine is prescribed or dispensed to specified individuals and in other specified circumstances.

Prescribers include the following practitioners with CDS prescriptive authority: physicians, physician assistants, dentists, podiatrists, nurse practitioners, and advanced practice nurse midwives.

State Expenditures: Chesapeake Regional Information System for Our Patients (CRISP) serves as PDMP's technology vendor. The Maryland Department of Health (MDH) advises that there is no existing functionality in PDMP to receive any information from health care providers at the point of prescribing a prescription. PDMP only receives personal health information from dispensers at the point of dispensing the prescribed medication. Thus, CRISP would need to complete significant IT development to establish a new secure communications portal to allow prescribers to notify PDMP once for each patient to whom they prescribe an opioid in a dosage of 50 morphine milligram equivalents or more. MDH further advises that additional PDMP staff are required to work with CRISP for implementation and enforcement.

Thus, general fund expenditures increase by as much as \$471,069 in fiscal 2023, which accounts for the bill's October 1, 2022 effective date. This estimate reflects the cost of hiring one program administrator to perform data analysis, track prescribers for compliance, and coordinate with the Provider Engagement Unit on necessary prescriber education or outreach. It includes a salary, fringe benefits, one-time start-up costs, ongoing operating expenses, and IT expenses to expand functionality within CRISP to accomplish the bill's requirements.

Position	1.0
CRISP Programming Costs	\$400,000
Salary and Fringe Benefits	63,726
Other Operating Expenses	<u>7,343</u>
Total FY 2023 State Expenditures	\$471,069

Future year expenditures reflect a full salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses and \$12,000 in annual IT maintenance costs.

Additional Information

Prior Introductions: HB 1125 of 2021, a similar bill, received a hearing in the House Health and Government Operations Committee, but no further action was taken. HB 1654 of 2020, a similar bill, was assigned to the House Rules and Executive Nominations Committee, but no further action was taken.

Designated Cross File: None.

Information Source(s): Maryland Department of Health; Department of Legislative Services

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rh/jc

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