



Maryland
Hospital Association

February 10, 2022

To: The Honorable Paul G. Pinsky, Chair, Senate Education, Health & Environmental Affairs Committee

Re: Letter of Concern - Senate Bill 159 - Health Occupations - Authorized Prescribers - Reporting of Financial Gratuities or Incentives

Dear Chair Pinsky:

On behalf of the Maryland Hospital Association's (MHA) 60 member hospitals and health systems, we appreciate the opportunity to comment on Senate Bill 159. The Affordable Care Act requires the Centers for Medicare & Medicaid Services (CMS) to collect information from manufacturers and group purchasing organizations regarding their financial relationships with physicians and hospitals. In addition, the federal Physician Payments Sunshine Act requires manufacturers of drugs, medical devices, biological, and medical supplies covered by Medicare, Medicaid, and the State Children's Health Insurance Program to collect and track all financial relationships with physicians and teaching hospitals and report these data to CMS.

The goal of these existing laws is to increase the transparency of financial relationships between health care providers and pharmaceutical manufacturers and to uncover potential conflicts of interest. The federal [Open Payments](#) program collects this information and makes it available via the CMS website. Under the law, manufacturers and group purchasing organizations report consulting fees, fees for serving as faculty or as a speaker at an event other than a continuing education program, honoraria, gifts, entertainment, food and beverage, travel and lodging, education, research, charitable contributions, and more. Federal law rightfully puts the reporting onus on manufacturers and group purchasing organizations because they are the ones making the payments.

SB 159 creates duplicative reporting requirements and is unnecessary as these arrangements are already made transparent by the federal government. Furthermore, this legislation increases regulatory burden on the already under resourced health occupations boards.

For these reasons we respectfully request an *unfavorable* report on SB 159.

For more information, please contact:
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