



Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

March 9, 2022

The Honorable Shane E. Pendergrass
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, Maryland 21401- 1991

RE: HB 1127 - Public Health – State Designated Exchange – Health Data Utility - Letter of Information with Amendments

Dear Chair Pendergrass and Committee Members:


The Maryland Department of Health (MDH) is submitting this Letter of Information with Amendments for House Bill (HB) 1127 – Public Health – State Designated Exchange – Health Data Utility. HB 1127 requires the state designated exchange to operate as a health data utility for the state. The health data utility will operate, aggregate, and analyze clinical information, health data, and administrative data to assist health care providers and public health leaders in the evaluation of public health interventions and health equity. The health data utility will also share data to advance disease control and health equity as well as enhance and accelerate interoperability of health information throughout the state. The state data exchange will receive data from MDH, nursing homes, electronic health networks, and dispensers.

Some functionalities of the health data utility proposed in HB 1127 duplicate current requirements of the state’s Prescription Drug Monitoring Program (PDMP) authorized under Health-General Article §21-2A. PDMP is required to collect from dispensers data on controlled dangerous substances (CDS) dispensed in or into Maryland. PDMP is required to share prescription monitoring data to health care providers in connection with the medical care of a patient, investigative entities and units of MDH for the purpose of furthering an existing bona fide individual investigation, along with additional entities listed in Health-General Article §21-2A-06. PDMP also shares de-identified prescription monitoring data for research, analysis, public reporting and educational purposes.

As some requirements of the Health Data Utility are implemented by PDMP for CDS dispenses, MDH respectfully shares amendments for HB 1127 to prevent duplicative reporting requirements for dispensers. This amendment will add the definition of a “non-controlled prescription drug” and the reporting of prescription monitoring data already collected and disclosed by PDMP.

For more information, please contact Heather Shek, Director, Office of Governmental Affairs at (410) 260-3190 or heather.shek@maryland.gov.

Sincerely,


Dennis R. Schrader
Secretary

AMENDMENT NO. 1

On page 1, after line 23, insert: “**(3) “NON-CONTROLLED 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.**”

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 3, line 1 strike “**PRESCRIPTION DRUG**” and substitute “**NON-CONTROLLED PRESCRIPTION DRUG**”.