

The Gally Report: MGA Session Update – Less Than 2-Weeks To Go

2017 Maryland General Assembly Session Update

With two weeks left in session, below is an update on the priority bills that we've been tracking.

SB 113 (2/1) / HB 703 (2/21), Public Health - Tobacco Control Funding –
Increases tobacco control funding from \$10 million to \$21 million per year

Action: We testified live at both hearings. Will be difficult to restore this money in such a difficult budget year. Also met with leadership from both committees.

Don't expect passage this year. Hasn't moved in either chamber.

SB 369 (FWA 2/23) / HB 403 (2/23), Maryland Patient Referral Law - Compensation Arrangements Under Federally Approved Programs and Models –

Adds an exemption from patient referral restrictions for practitioners with certain Federally permitted compensation arrangements

Action: This bill will help adjust Maryland's patient referral law in a way that will help set up comprehensive primary care and other innovative primary care models. It is about to pass the Senate and is expected to pass the House as well.

This bill is one step away from final passage and should be enrolled Monday or Tuesday.

SB 415 (2/15) / HB 631 (2/23), Public Health - Essential Generic Drugs - Price Gouging - Prohibition

Prohibits a manufacturer or wholesale distributor from price gouging in sale of an essential generic drug

Action: Eric Gally testified live in the Senate hearing and Dr. George Leon testified at the House hearing. Bill is expected to pass.

This bill has passed the House but has yet to secure passage by the Senate Finance Committee. It is expected they will vote the bill out sometime this week but not guaranteed. This has been a very tough battle. Big PHARMA is pushing back hard.

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SB 437 (2/15) / HB 666 (2/23), Public Health - Expensive Drugs - Manufacturer Reporting and Drug Price Transparency Advisory Committee

Establishes the advisory committee and requires the manufacturer of an expensive drug to file an annual report and give notice to DHMH before certain price increases

Action: Eric Gally testified live in the Senate hearing and Dr. George Leon testified at the House hearing.

This bill has gotten stuck and neither committee has taken action. There is some thought that the bill will be paired down a lot later this week and passed. But there are no guarantees. This bill definitely needs work.

SB 422 (2/14) / HB 602 (2/15), Keep Antibiotics Effective Act of 2017
Prohibits use of medically important antimicrobial drugs in routine farm animal feeding
Action: Eric Gally testified at the Senate and House hearings.

A compromise version of this bill has passed both chambers in identical form, so it is 99 percent likely the bill will be enrolled and sent to the Governor for his signature or veto. The provisions in the bill remain essentially the same though data collection and reporting that was required in the original version has been removed.

SB 611 (2/22) / HB 807 (2/21), Health Occupations- Requirements for the Practice of Optometry - Miscellaneous Revisions
Establishes a license category of Therapeutically Certified Optometrist II and scope of practice
Action: We provided written testimony in the House and Dr. Jos Zebley testified in the Senate.

This bill has been referred to interim study by both committees which effectively kills it for this year but leaves open the possibility that it may come up next year. Historically bills that are sent for summer study are done, but recently some bills have been revived through this process. But the bill is definitely dead for this year.

SB 768 (3/8), HB 1128 (3/9), Health Insurance - Prescription Drugs - Formulary Changes
Prohibiting Formulary Changes during an insurance plan year or open enrollment period.

This bill was withdrawn by the sponsors the day before the hearing. The broad coalition behind this legislation intends to regroup this summer and develop a new action plan on this issue.

HB 613, SB 363 Pharmacists Prescribing and Dispensing of Contraceptives
Establishes a procedure for pharmacists to prescribe and dispense FDA approved contraceptive medicines or devices via specified procedures, including having the patient fill out a self-assessment tool.

This bill is steamrolling toward passage but does include language requiring pharmacists to include written information about the importance of the patient seeing their primary care provider or reproductive health care provider in the near future for recommended tests and screenings.