

prescription drug monitoring database. Accordingly, an organization like the DEA could search the database for the sole purpose of finding offenders to prosecute.

Fourth, Senate Bill 333 emphasizes law enforcement over treatment. It is questionable whether prescription drug data alone can be used to identify problematic prescribing patterns especially since the data will not be supplemented by additional information such as medical records. I do not advocate adding medical records to the database but believe that the prescription drug data could be misinterpreted without the proper context.

Finally, Senate Bill 333 creates an Advisory Board after legislation has been introduced. The Advisory Group does not have the ability to truly advise DHMH on how to implement a successful prescription drug monitoring program because the law has already been written. Legislation needs to be drafted after such a group has been consulted.

Given all of these serious questions surrounding Senate Bill 333, I have asked the Department of Health and Mental Hygiene, in consultation with the Maryland Health Care Commission, to form an advisory group of all the relevant stakeholders, including but not limited to physicians, nurses, pharmacists, hospitals, and advocates to examine prescription drug monitoring and other ways to limit prescription drug abuse and diversion. This is an important issue that must be addressed in the appropriate manner. The advisory group will focus on issues such as the use of electronic records, electronic monitoring of controlled drug prescriptions, a standard of care for pain management, patient confidentiality, and will emphasize the treatment of addiction. DHMH and the Maryland Health Care Commission will be required to report on their progress and recommendations prior to the end of this year so that Maryland can move forward to address these important issues.

For the above stated reason, I have vetoed Senate Bill 333.

Very truly yours,  
Robert L. Ehrlich, Jr.  
Governor

### Senate Bill No. 333

AN ACT concerning

### Prescription Drug Monitoring Program

FOR the purpose of establishing requiring the Department of Health and Mental Hygiene to establish and maintain a certain Prescription Drug Monitoring Program within the Department of Health and Mental Hygiene; establishing the powers and duties of the Secretary of Health and Mental Hygiene under the Program; requiring prescription monitoring data to be destroyed after a certain time period unless a certain request for retention of certain information is submitted to the Department; creating a certain Advisory Board on Prescription Drug Monitoring to assist in the design, implementation, and evaluation of the Program; establishing the chair, the terms of the members, and the responsibilities of the Board; creating requiring the Secretary to appoint a