

# **BYLAWS**

## **Advisory Board on Prescription Drug Monitoring**

### DEFINITIONS:

Board: Refers to the Advisory Board on Prescription Drug Monitoring as described in GAM-Article-Health-General- Section 21-2A-05.

Secretary: Refers to the Secretary of the Department of Health and Mental Hygiene

Program: Refers to the Prescription Drug Monitoring Program

OPER: Office of Provider Engagement and Regulation or OPER manages the Maryland Prescription Drug Monitoring Program as of February 2019

### ARTICLE I: NAME

Advisory Board on Prescription Drug Monitoring

### ARTICLE II: PURPOSE

The purpose of this Advisory Board is to work with and provide advice to the Program

### ARTICLE III: FUNCTIONS AND DUTIES

The Secretary and the Board shall consult with stakeholders and professionals knowledgeable about prescription drug monitoring programs as appropriate to obtain input and guidance about implementation of the Program. The Board shall:

- A. Make recommendations to the Secretary relating to the design and implementation of the Program, including recommendations related to regulations, legislation and sources of funding,
- B. Provide annually to the Governor and, in accordance with §2-1257 of the State Government Article, the General Assembly an analysis of the impact of the Program on patient access to pharmaceutical care and on curbing prescription drug diversion in the State, including any recommendations related to modification or continuation of the Program, and to
- C. Provide ongoing advice and consultation on the implementation and operation of the Program, including recommendations related to:
  - a. Changes in the Program to reflect advances in technology and best practices in the field of electronic health records and electronic prescription monitoring,
  - b. Changes to statutory requirements, and
  - c. The design and implementation of an ongoing evaluation component

### ARTICLE IV: MEMBERSHIP

- A. Composition: The Board shall consist of a Chair and Members as outlined in §21-2A-05(b).
- B. Appointments:
  - a. Members shall be appointed by the Secretary.
  - b. Chair of the Board shall be appointed by the Secretary.

- c. If a vacancy occurs during the term of an appointed Board Member, the Secretary shall appoint a successor who shall serve until the current term of the vacated position expires.
- C. Member Terms:
  - a. The term of a Member appointed by the Secretary to the Board is 3 years.
  - b. The terms of Members appointed by the secretary are staggered as required by the terms provided for Members of the Board on October 1, 2011.
- D. Chair Terms: The term of a Chair appointed by the Secretary to the board is 3 years.
- E. Termination of membership on the Board:
  - a. A Member may elect to terminate membership upon the expiration of any term of service on the Board. OPER staff will confirm continued interest in re-appointment with the Member and relay to the Secretary upon or prior to expiration of a current term.
  - b. A Member may be asked to resign from the Board for unprofessional conduct at any time by the Board Chair and OPER staff, with the Secretary's approval.
  - c. Proactive Resignation: A Member may choose to remove himself/herself from the Board at any time for any reason. A letter of resignation shall be sent to the attention of the Chair of the Board and OPER staff. If the Chair chooses to resign his/her position, a letter of resignation shall be sent to the Secretary.
  - d. Passive Resignation: A Member who fails to attend at least 50% of the meetings during any consecutive 12-month period shall be considered to have passively resigned. Notice of passive resignation will be issued to a Board Member by the Chair of the Board and OPER staff.
    - i. Waiver: If a Member wishes to remain on the Board after a passive resignation is issued, (s)he must write a waiver describing the exceptional reason(s) for non-compliance with the attendance policy addressed to the Secretary, Chair of the Board and OPER staff. The Chair and OPER staff will investigate, and if found appropriate, recommend to the Secretary that such Member be retained on the Board.
- F. A Member or Chair of the Board may not receive compensation as a Member or Chair of the Board, but is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

ARTICLE V: MEETINGS

- A. The Board shall meet no fewer than three times per year.
- B. All meetings subject to the Maryland Open Meetings Act.
  - a. During Open Sessions, only Board Members and identified Program-related personnel will participate. Public attendees may comment during the designated public comment period(s) of any given Open Session.
  - b. A session may be closed according to the provisions of the Maryland Open Meetings Act, and only Board members and identified Program-related personnel will be in attendance.

- C. A quorum of the Board shall consist of a majority of voting Members, including the Chair. A quorum shall be required for the affirmative transaction of any official business of the Board.
- D. Attendance Policy: Members are required to attend, either in person or remotely, at least 50% of the meetings during any consecutive 12-month period.