

SB0946/433020/1

BY: Conference Committee

AMENDMENTS TO SENATE BILL 946
(Third Reading File Bill)

AMENDMENT NO. 1

On page 2, strike beginning with “authorizing” in line 13 down through “enroll” in line 14 and substitute “providing that certain individuals shall be automatically enrolled”; strike beginning with “during” in line 15 down through “period” in line 16; strike beginning with “requiring” in line 18 down through “counseling” in line 20 and substitute “requiring the Department to ensure Medicare–eligible retirees have access to certain services; requiring the Department to develop a certain plan for communicating to Medicare–eligible retirees the availability of certain programs and services; requiring the Department to submit a report on the plan by a certain date; requiring the report to include certain information”; in line 22, after “circumstances;” insert “requiring the Department to submit certain quarterly reports to the Governor and certain committees of the General Assembly; requiring the Department to adopt certain regulations;”; and in line 27, after “circumstances;” insert “requiring the Secretary of Budget and Management to provide certain notice to certain retirees not later than a certain date; declaring the intent of the General Assembly;”.

AMENDMENT NO. 2

On page 10, in line 27, strike “**2018**” and substitute “2019”.

On page 11, in line 26, strike “**2019**” and substitute “2020”.

AMENDMENT NO. 3

On page 12, strike beginning with “A” in line 22 down through “MEDICARE” in line 23 and substitute “:”

(Over)

1. THE MARYLAND STATE RETIREE PRESCRIPTION DRUG COVERAGE PROGRAM ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION; OR

2. THE MARYLAND STATE RETIREE CATASTROPHIC PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER SUBSECTION (E) OF THIS SECTION;

in line 31, strike “A” and substitute “THE”; in the same line, after “PLAN” insert “IN THE HEALTH INSURANCE BENEFIT OPTIONS ESTABLISHED”; and in line 32, after the semicolon insert “AND”.

On page 13, in line 2, strike “; AND” and substitute a period; strike line 3 in its entirety; in line 4, after “(II)” insert “THE DEPARTMENT SHALL DEVELOP A LIST OF THE PRESCRIPTION DRUGS THAT QUALIFY FOR REIMBURSEMENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

(III)”;

in line 5, strike “BASED ON WHETHER” and substitute “FOR”; in the same line, after “RETIREE” insert “WHO”; strike beginning with “THE” in line 5 down through “FOR” in line 6; in line 15, strike “MAY ENROLL” and substitute “SHALL BE AUTOMATICALLY ENROLLED”; and strike beginning with “DURING” in line 17 down through “OPTIONS” in line 18 and substitute “ON ENROLLMENT IN:

(I) THE MARYLAND STATE RETIREE PRESCRIPTION DRUG COVERAGE PROGRAM ESTABLISHED UNDER SUBSECTION (D) OF THIS SECTION; OR

(II) THE MARYLAND STATE RETIREE CATASTROPHIC PRESCRIPTION DRUG ASSISTANCE PROGRAM ESTABLISHED UNDER SUBSECTION (E) OF THIS SECTION

AMENDMENT NO. 4

On page 13, in line 19, strike the third bracket; in the same line, strike “] (3)”; in line 20, strike “, [2018] 2019” and substitute “**OF EACH YEAR**”; strike beginning with “BE” in line 22 down through the second comma in line 23 and substitute “**BECOME ELIGIBLE IN THE NEXT CALENDAR YEAR**”; and in line 32, after “plan” insert “, **INCLUDING OPTIONS THAT ARE SIMILAR TO THE PRESCRIPTION DRUG BENEFIT PLAN IN THE HEALTH INSURANCE BENEFIT OPTIONS ESTABLISHED UNDER THE PROGRAM**”.

On page 14, in line 3, strike “AND”; and in line 5, after “SECTION” insert “; **AND**”.

(IV) ANY ADDITIONAL RESOURCES MADE AVAILABLE BY THE DEPARTMENT IN ACCORDANCE WITH THIS SECTION

AMENDMENT NO. 5

On page 14, strike in their entirety lines 6 through 20, inclusive, and substitute:

“(H) (1) THE DEPARTMENT SHALL ENSURE MEDICARE-ELIGIBLE RETIREES HAVE ACCESS TO ONE-ON-ONE COUNSELING SERVICES TO ASSIST RETIREES IN SELECTING A MEDICARE PRESCRIPTION DRUG BENEFIT PLAN.

(2) THE DEPARTMENT SHALL DEVELOP A PLAN TO COMMUNICATE TO MEDICARE-ELIGIBLE RETIREES THE AVAILABILITY OF:

(I) THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION; AND

(Over)

(II) SERVICES AND INFORMATION REGARDING
PRESCRIPTION DRUG BENEFIT PLANS UNDER MEDICARE.

(3) ON OR BEFORE DECEMBER 31, 2019, THE DEPARTMENT
SHALL SUBMIT A REPORT TO THE SENATE BUDGET AND TAXATION COMMITTEE
AND THE HOUSE APPROPRIATIONS COMMITTEE, IN ACCORDANCE WITH § 2-1246
OF THE STATE GOVERNMENT ARTICLE, ON THE PLAN DEVELOPED UNDER
PARAGRAPH (2) OF THIS SUBSECTION.

(4) THE REPORT REQUIRED UNDER PARAGRAPH (3) OF THIS
SUBSECTION SHALL INCLUDE:

(I) OPTIONS FOR PROVIDING ONE-ON-ONE COUNSELING,
INCLUDING:

1. IN-PERSON, OVER-THE-PHONE, OR WEB-BASED
COUNSELING;

2. THE TIMES AT WHICH ONE-ON-ONE COUNSELING
WILL BE AVAILABLE;

3. A PLAN TO ENSURE EQUITABLE GEOGRAPHIC
ACCESS TO ONE-ON-ONE COUNSELING; AND

4. ENTERING INTO A STATEWIDE CONTRACT WITH AN
EMPLOYEE BENEFITS ADMINISTRATOR OR SIMILAR ENTITY TO PROVIDE ONE-
ON-ONE COUNSELING SERVICES;

(II) PLANS FOR HOLDING SEMINARS IN EVERY COUNTY OF THE STATE TO PROVIDE INFORMATION REGARDING ELIGIBILITY FOR AND AVAILABLE BENEFITS UNDER THE PROGRAMS ESTABLISHED UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION;

(III) PLANS FOR PROVIDING ACCESS TO A WEB-BASED OVERVIEW AND INTERACTIVE WEBSITE THAT PROVIDE INFORMATION ON:

1. MEDICARE PRESCRIPTION DRUG BENEFIT PLANS;
AND

2. SUBSIDY AND FINANCIAL ASSISTANCE PROGRAMS FOR LOW-INCOME INDIVIDUALS; AND

(IV) PLANS FOR PROVIDING A TOLL-FREE HOTLINE FOR REPORTING ISSUES AND CONCERNS REGARDING THE SERVICES PROVIDED IN ACCORDANCE WITH THIS PARAGRAPH.”;

and in line 21, strike “(H)” and substitute “(I)”.

AMENDMENT NO. 6

On page 14, after line 27, insert:

“(J) THE DEPARTMENT SHALL SUBMIT QUARTERLY REPORTS TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE HOUSE APPROPRIATIONS COMMITTEE, THE SENATE BUDGET AND TAXATION COMMITTEE, AND THE JOINT COMMITTEE ON PENSIONS, ON:

(1) THE STATUS OF ESTABLISHING THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION, INCLUDING:

(Over)

(I) THE STATUS OF PROCURING ANY CONTRACTS NECESSARY TO OPERATE THE PROGRAMS; AND

(II) THE PRESCRIPTION DRUGS DETERMINED TO QUALIFY FOR REIMBURSEMENT UNDER THE MARYLAND STATE RETIREE LIFE-SUSTAINING PRESCRIPTION DRUG ASSISTANCE PROGRAM UNDER SUBSECTION (F) OF THIS SECTION;

(2) THE AVAILABILITY OF ONE-ON-ONE COUNSELING SERVICES REQUIRED UNDER SUBSECTION (H) OF THIS SECTION;

(3) THE DETAILS OF THE HEALTH REIMBURSEMENT ACCOUNTS OR OTHER PROGRAMS TO PROVIDE ASSISTANCE WITH PRESCRIPTION DRUG COSTS FOR INDIVIDUALS ENROLLED IN THE PROGRAMS UNDER SUBSECTIONS (D), (E), AND (F) OF THIS SECTION, INCLUDING:

(I) THE SPECIFIC OUT-OF-POCKET COSTS ELIGIBLE FOR REIMBURSEMENT;

(II) THE REQUIRED PROCESS FOR RECEIVING REIMBURSEMENT;

(III) THE METHOD OF REIMBURSEMENT;

(IV) THE TIMING OF REIMBURSEMENT; AND

(V) A PLAN TO USE DEBIT CARDS TO PROCESS REIMBURSEMENTS IN A CONVENIENT AND EFFICIENT MANNER; AND

(4) IN TOTAL AND BY CATEGORY FOR THE PREVIOUS QUARTER, THE NUMBER OF ISSUES AND CONCERNS REPORTED TO THE HOTLINE.

(K) THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS SECTION.”.

AMENDMENT NO. 7

On page 15, in lines 10 and 26, in each instance, after “the” insert “Maryland”; after line 30, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That, not later than September 1, 2019, the Secretary of Budget and Management shall provide written certified notice of the provisions of this Act to all:

(1) Medicare–eligible State retirees;

(2) Medicare–eligible spouses and surviving spouses of State retirees;

(3) Medicare–eligible dependent children and surviving dependent children of State retirees; and

(4) State employees who are eligible, on or before December 31, 2019, to:

(i) enroll in a prescription drug benefit plan under Medicare; and

(ii) retire from State employment.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management establish the

(Over)

Maryland State Retiree Prescription Drug Coverage Program, the Maryland State Retiree Catastrophic Prescription Drug Assistance Program, and the Maryland State Retiree Life–Sustaining Prescription Drug Assistance Program in § 2–509.1(d), (e), and (f) of the State Personnel and Pensions Article, respectively, in a manner that allows retirees to access reimbursement at the time of prescription drug purchase, through a mechanism such as debit cards.

SECTION 5. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Department of Budget and Management attend at least one meeting each year of the Joint Committee on Pensions to update the Committee on implementation of the provisions of this Act.”;

and in line 31, strike “3.” and substitute “6.”.