
By: Senators Young and Trotter

Introduced and read first time: January 19, 1996

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **State Employees - Pharmaceutical Benefits Through Mail**

3 FOR the purpose of prohibiting the Secretary of Budget and Fiscal Planning from
4 arranging for inclusion in the State Employee and Retiree Health and Welfare
5 Benefits Program the provision of pharmaceutical benefits through the mail unless
6 each provider of pharmaceutical benefits through the mail agrees in its contract
7 with the State that an enrollee will receive a covered product sent by mail within a
8 certain period after the person receives an enrollee's request for the product; and
9 providing that existing obligations or contract rights may not be impaired by this
10 Act.

11 BY repealing and reenacting, with amendments,
12 Article - State Personnel and Pensions
13 Section 8-103(b)
14 Annotated Code of Maryland
15 (1994 Volume and 1995 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article - State Personnel and Pensions**

19 8-103.

20 (b) (1) [The] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
21 SUBSECTION, THE Secretary may arrange as the Secretary considers appropriate any
22 benefit option for inclusion in the Program.

23 (2) THE SECRETARY MAY NOT ARRANGE FOR INCLUSION IN THE
24 PROGRAM THE PROVISION OF PHARMACEUTICAL BENEFITS THROUGH THE MAIL
25 UNLESS EACH PROVIDER OF PHARMACEUTICAL BENEFITS THROUGH THE MAIL
26 AGREES IN ITS CONTRACT WITH THE STATE THAT AN ENROLLEE WILL RECEIVE A
27 COVERED PRODUCT SENT BY MAIL WITHIN 48 HOURS AFTER THE PERSON RECEIVES
28 AN ENROLLEE'S REQUEST FOR THE PRODUCT.

29 SECTION 2. AND BE IT FURTHER ENACTED, That a presently existing
30 obligation or contract right may not be impaired in any way by this Act.

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1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1996.