

SENATE BILL 281

J1

(71r2270)

ENROLLED BILL

— Finance/Health and Government Operations —

Introduced by **Senators Middleton, Dyson, and Pugh**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 ~~Department of Health and Mental Hygiene – Family Health Administration –~~
3 **Maryland Medbank Program – Funding**

4 FOR the purpose of ~~transferring the Maryland Medbank Program to the Family~~
5 ~~Health Administration within the Department of Health and Mental Hygiene~~
6 authorizing certain funds to be transferred and appropriated to the Department
7 of Health and Mental Hygiene in a certain fiscal year for a certain purpose; and
8 generally relating to funding for the Maryland Medbank Program.

9 BY ~~renumbering~~ repealing and reenacting, without amendments.
10 Article – Health – General

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber / conference committee amendments.



1 Section 15-124.2
 2 ~~to be Section 13-2501~~
 3 Annotated Code of Maryland
 4 (2005 Replacement Volume and 2006 Supplement)

5 ~~BY repealing and reenacting, with amendments,~~
 6 ~~Article - Health - General~~
 7 ~~Section 13-2501 to be under the new subtitle "Subtitle 25. Maryland Medbank~~
 8 ~~Program"~~
 9 ~~Annotated Code of Maryland~~
 10 ~~(2005 Replacement Volume and 2006 Supplement)~~
 11 ~~(As enacted by Section 1 of this Act)~~

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 13 MARYLAND, ~~That Section(s) 15-124.2 of Article - Health - General of the Annotated~~
 14 ~~Code of Maryland be renumbered to be Section(s) 13-2501.~~

15 ~~SECTION 2. AND BE IT FURTHER ENACTED,~~ That the Laws of Maryland
 16 read as follows:

17 **Article - Health - General**

18 ~~**SUBTITLE 25. MARYLAND MEDBANK PROGRAM.**~~

19 ~~13-2501.~~ 15-124.2.

20 (a) In this section, "Program" means the Maryland Medbank Program
 21 established under this section.

22 (b) There is a Maryland Medbank Program ~~IN THE FAMILY HEALTH~~
 23 ~~ADMINISTRATION.~~

24 (c) The purpose of the Program is to improve the health status of individuals
 25 throughout the State who lack prescription drug coverage by providing access to
 26 medically necessary prescription drugs through patient assistance programs
 27 sponsored by pharmaceutical drug manufacturers.

28 (d) (1) Subject to paragraph (2) of this subsection, the Program shall be
 29 administered by the Medbank of Maryland, Inc.

30 (2) The Medbank of Maryland, Inc. shall contract with one or more
 31 government or nonprofit entities to operate the Program.

1 (e) (1) The Program shall be funded through a grant provided by the
2 Department.

3 (2) Program funds may be used in part to:

4 (i) Purchase interim supplies of prescription drugs for enrollees
5 who have applied to participate in a manufacturer's patient assistance program but
6 have not yet received the approved prescription drug; and

7 (ii) Distribute medication to enrollees who have been approved
8 to participate in a manufacturer's patient assistance program.

9 (f) (1) The Medbank of Maryland, Inc. shall ensure that the Program is
10 available to residents in each of the following geographic regions of the State:

11 (i) Western Maryland;

12 (ii) The Eastern Shore;

13 (iii) The Baltimore metropolitan area;

14 (iv) The Maryland counties in the Washington, D.C.
15 metropolitan area; and

16 (v) Southern Maryland, including Anne Arundel County.

17 (2) Medbank of Maryland, Inc. shall be the central coordinating office
18 for the State.

19 (g) Eligibility for the Program shall be limited only by the criteria
20 established by pharmaceutical manufacturers for their patient assistance programs.

21 (h) (1) The Department shall require detailed financial reports at least
22 quarterly from Medbank of Maryland, Inc.

23 (2) The Medbank of Maryland, Inc. shall release funds to the entities
24 that operate the Program as needed and justified by the quarterly reports filed in
25 accordance with paragraph (1) of this subsection.

26 (i) On or before December 1, 2001, and annually thereafter, the Department
27 and Medbank of Maryland, Inc. shall report to the Governor and, in accordance with §

1 2–1246 of the State Government Article, to the General Assembly, on the status of the
 2 Maryland Medbank Program established under this section, including:

3 (1) The number and demographic characteristics of the State residents
 4 served by the Program;

5 (2) The types and retail value of prescription drugs accessed through
 6 the Program;

7 (3) The nature and extent of outreach performed to inform State
 8 residents of the assistance available through the Program; and

9 (4) The total volume and retail value of each brand name drug, by
 10 manufacturer, accessed through the Program.

11 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding
 12 Section 4 of Chapter 345 of the Acts of the General Assembly or any other provision of
 13 law, for fiscal year 2008 only, funds remaining from the Senior Prescription Drug
 14 Program that have accrued to the account of the Senior Prescription Drug Assistance
 15 Program of the Maryland Health Insurance Plan Fund may be transferred and
 16 appropriated in the budget bill or by budget amendment to the Department of Health
 17 and Mental Hygiene for the purpose of providing a grant, not to exceed \$425,000, to the
 18 Maryland Medbank Program under § 15–124.2 of the Health – General Article.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 20 July 1, 2007.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.