

HB0838/196686/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 838

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Delegate Kipke” and substitute “Delegates Kipke, Hammen, Pendergrass, Bromwell, Costa, Cullison, Donoghue, Elliot, Frank, Hubbard, Kach, A. Kelly, Krebs, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, and Tarrant”; in line 9, after “pharmacist” insert “, with a certain exception”; in line 11, strike “requiring” and substitute “authorizing”; in line 12, strike “that standardize” and substitute “regarding”; and strike beginning with “requiring” in line 15 down through “circumstances;” in line 19.

AMENDMENT NO. 2

On page 3, in line 2, after “COMMUNICATION” insert “AUTHORIZED BY CONTRACT BETWEEN THE PHARMACY AND THE PHARMACY BENEFITS MANAGER”; strike in their entirety lines 9 and 10; and in lines 11, 14 and 17, strike “(9)”, “(10)”, and “(11)”, respectively, and substitute “(8)”, “(9)”, and “(10)”, respectively.

AMENDMENT NO. 3

On page 3, in line 26, after “(F)” insert “(1)”; in line 27, strike “(1)” and substitute “(1)”; and in line 28, after the semicolon insert “OR”.

On pages 3 and 4, strike in their entirety the lines beginning with line 29 on page 3 through line 4 on page 4, inclusive.

On page 4, in line 5, strike “(4)” and substitute “(II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION:”

(Over)

1.”;

in line 6, after the semicolon, insert “OR”; in line 7, strike “(5)” and substitute “2.”; in line 8, strike “; OR” and substitute a period; after line 8, insert:

“(2) PARAGRAPH (1)(II) OF THIS SUBSECTION DOES NOT APPLY TO THE SHARING OF INFORMATION:

(I) REQUIRED BY FEDERAL OR STATE LAW;

(II) IN CONNECTION WITH AN ACQUISITION OR MERGER INVOLVING THE PHARMACY BENEFITS MANAGER; OR

(III) AT THE PAYOR’S REQUEST OR UNDER THE TERMS OF THE AGREEMENT BETWEEN THE PHARMACY BENEFITS MANAGER AND THE PAYOR.”;

and strike in their entirety lines 9 and 10.

AMENDMENT NO. 4

On page 5, strike beginning with the colon in line 18 down through “(II)” in line 21 and substitute a comma; in line 22, strike the second “THE” and substitute “AN”; and in the same line, after “APPEAL” insert “UNDER SUBSECTION (I) OF THIS SECTION”.

AMENDMENT NO. 5

On page 5, in line 32, strike “SHALL” and substitute “MAY”; and in lines 32 and 33, strike “THAT STANDARDIZE” and substitute “REGARDING”.

AMENDMENT NO. 6

On page 6, in line 9, strike “(A)”; in line 16, strike “OR”; and in line 18, after “PHARMACIST” insert “;OR”

(4) SUBJECT TO § 15-1629(H)(2) OF THIS PART, THE CLAIM OTHERWISE CAUSED MONETARY LOSS TO THE PHARMACY BENEFITS MANAGER, PROVIDED THAT THE PHARMACY BENEFITS MANAGER ALLOWED THE PHARMACY A REASONABLE OPPORTUNITY TO REMEDY THE CAUSE OF THE MONETARY LOSS”.

On pages 6 and 7, strike in their entirety the lines beginning with line 19 on page 6 through line 8 on page 7, inclusive.