

# HOUSE BILL 368

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By: **Delegates Jameson, Barnes, Hucker, Love, Rudolph, and Schulz**  
Introduced and read first time: January 23, 2014  
Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Prescription Drugs – Choice of Pharmacy**

3 FOR the purpose of prohibiting a covered employee from being required to fill a  
4 prescription at a pharmacy selected by an employer or its insurer if the  
5 employer or its insurer is required to provide the prescription drug under a  
6 certain provision of the workers' compensation law; and generally relating to  
7 the filling of prescriptions for drugs provided by employers or their insurers  
8 under the workers' compensation law.

9 BY repealing and reenacting, with amendments,  
10 Article – Labor and Employment  
11 Section 9–660  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2013 Supplement)

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

16 **Article – Labor and Employment**

17 9–660.

18 (a) In addition to the compensation provided under this subtitle, if a covered  
19 employee has suffered an accidental personal injury, compensable hernia, or  
20 occupational disease the employer or its insurer promptly shall provide to the covered  
21 employee, as the Commission may require:

22 (1) medical, surgical, or other attendance or treatment;

23 (2) hospital and nursing services;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) medicine;

2 (4) crutches and other apparatus; and

3 (5) artificial arms, feet, hands, and legs and other prosthetic  
4 appliances.

5 (b) The employer or its insurer shall provide the medical services and  
6 treatment required under subsection (a) of this section for the period required by the  
7 nature of the accidental personal injury, compensable hernia, or occupational disease.

8 **(C) IF AN EMPLOYER OR ITS INSURER IS REQUIRED TO PROVIDE A**  
9 **PRESCRIPTION DRUG UNDER SUBSECTION (A) OF THIS SECTION, THE COVERED**  
10 **EMPLOYEE MAY NOT BE REQUIRED TO FILL THE PRESCRIPTION AT A PHARMACY**  
11 **SELECTED BY THE EMPLOYER OR ITS INSURER.**

12 **[(c)] (D)** Except as provided in § 9–736(b) and (c) of this title, any award or  
13 order of the Commission under this section may not be construed to:

14 (1) reopen any case; or

15 (2) allow any previous award to be changed.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2014.