

# HOUSE BILL 280

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CF SB 215

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By: **Delegate Jameson**

Introduced and read first time: January 20, 2014

Assigned to: Health and Government Operations and Economic Matters

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## A BILL ENTITLED

AN ACT concerning

### **Workers' Compensation – Payment for Physician–Dispensed Prescriptions – Limitations**

FOR the purpose of prohibiting employers or their insurers, except under certain circumstances, from being required to pay for a prescription that is dispensed by a physician to certain covered employees; and generally relating to payment for prescriptions dispensed by physicians to covered employees.

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 9–660

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

BY adding to

Article – Labor and Employment

Section 9–660.1

Annotated Code of Maryland

(2008 Replacement Volume and 2013 Supplement)

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

### **Article – Labor and Employment**

9–660.

(a) In addition to the compensation provided under this subtitle **AND EXCEPT AS PROVIDED IN § 9–660.1 OF THIS SUBTITLE**, if a covered employee has suffered an accidental personal injury, compensable hernia, or occupational disease

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



the employer or its insurer promptly shall provide to the covered employee, as the Commission may require:

- (1) medical, surgical, or other attendance or treatment;
- (2) hospital and nursing services;
- (3) medicine;
- (4) crutches and other apparatus; and
- (5) artificial arms, feet, hands, and legs and other prosthetic appliances.

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

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

- (1) reopen any case; or
- (2) allow any previous award to be changed.

#### **9–660.1.**

**AN EMPLOYER OR ITS INSURER MAY NOT BE REQUIRED TO PAY FOR A PRESCRIPTION THAT IS DISPENSED BY A PHYSICIAN TO A COVERED EMPLOYEE WHO HAS SUFFERED AN ACCIDENTAL PERSONAL INJURY, COMPENSABLE HERNIA, OR OCCUPATIONAL DISEASE UNLESS THE PRESCRIPTION WAS:**

**(1) DISPENSED WITHIN 30 DAYS AFTER THE COVERED EMPLOYEE’S INITIAL APPOINTMENT WITH THE PHYSICIAN OR ANY OTHER PHYSICIAN IN THE PHYSICIAN’S PRACTICE FOR A CONSULTATION, AN EVALUATION, OR AN OFFICE VISIT RELATING TO THE ACCIDENTAL PERSONAL INJURY, COMPENSABLE HERNIA, OR OCCUPATIONAL DISEASE; AND**

**(2) LIMITED TO NO MORE THAN A 30–DAY SUPPLY OF THE MEDICATION.**

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