

Article - Insurance

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§15–841.

(a) (1) In this section the following words have the meanings indicated.

(2) “Authorized prescriber” has the meaning stated in § 12-101 of the Health Occupations Article.

(3) (i) “Nicotine replacement therapy” means a product that:

1. is used to deliver nicotine to an individual attempting to cease the use of tobacco products; and

2. is obtained under a prescription written by an authorized prescriber.

(ii) “Nicotine replacement therapy” does not include any over-the-counter product that may be obtained without a prescription.

(4) “Tobacco product” has the meaning stated in § 10-101 of the Criminal Law Article.

(b) (1) This subsection applies to:

(i) insurers and nonprofit health service plans that provide coverage for prescription drugs to individuals or groups under health insurance policies or contracts that are issued or delivered in the State; and

(ii) health maintenance organizations that provide coverage for prescription drugs to individuals or groups under contracts that are issued or delivered in the State.

(2) An entity subject to this subsection shall provide coverage for:

(i) except for a drug that may be obtained over-the-counter without a prescription, any drug that:

1. is approved by the United States Food and Drug Administration as an aid for the cessation of the use of tobacco products; and

2. is obtained under a prescription written by an authorized prescriber; and

(ii) two 90-day courses of nicotine replacement therapy during each policy year.

(3) An entity subject to this subsection may not impose a different copayment or coinsurance requirement for a drug or nicotine replacement therapy provided under paragraph (2) of this subsection than is imposed for any other comparable prescription.

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