

HOUSE BILL 1290

J1

5lr3118
CF 5lr3125

By: ~~Delegates Adams, Anderton, Fisher, Hornberger, Jacobs, Mautz, and Otto~~
Otto, Hammen, Angel, Barron, Bromwell, Cullison, Hayes, Hill, Kelly, Kipke,
Krebs, McDonough, McMillan, Miele, Morgan, Morhaim, Oaks,
Pena-Melnyk, Pendergrass, Reznik, Rose, Saab, Sample-Hughes, West, and
K. Young ~~K. Young, Branch, Folden, and C. Wilson~~

Rules suspended

Introduced and read first time: March 23, 2015

Assigned to: Rules and Executive Nominations

Re-referred to: Health and Government Operations, March 26, 2015

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: April 3, 2015

CHAPTER _____

1 AN ACT concerning

2 Medicaid Managed Care Organizations – Enrollees Access to Pharmacy Services
3 ~~– Requirements~~ Pharmacy Networks

4 FOR the purpose of ~~requiring a managed care organization to develop and maintain a~~
5 ~~provider network that ensures that enrollees have access to sites where they receive~~
6 ~~pharmacy services within a certain geographical area of each enrollee's residence;~~
7 ~~authorizing the Department of Health and Mental Hygiene to approve a provider~~
8 ~~network that does not meet a certain geographic access requirement for pharmacy~~
9 ~~services under certain circumstances; and generally relating to geographic access to~~
10 ~~pharmacy services of enrollees of managed care organizations~~ authorizing certain
11 pharmacies to participate in the pharmacy network of a Medicaid managed care
12 organization, under certain circumstances; and generally relating to pharmacy
13 networks of Medicaid managed care organizations.

14 BY repealing and reenacting, without amendments,
15 Article – Health – General
16 Section 15-103(a)(1) and (b)(1)
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2014 Supplement)

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.



1 BY adding to
 2 Article – Health – General
 3 Section 15–103(b)(31)
 4 Annotated Code of Maryland
 5 (2009 Replacement Volume and 2014 Supplement)

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

8 **Article – Health – General**

9 15–103.

10 (a) (1) The Secretary shall administer the Maryland Medical Assistance
 11 Program.

12 (b) (1) As permitted by federal law or waiver, the Secretary may establish a
 13 program under which Program recipients are required to enroll in managed care
 14 organizations.

15 ~~(31) (i) EXCEPT AS PROVIDED IN SUBPARAGRAPH (ii) OF THIS~~
 16 ~~PARAGRAPH, EACH MANAGED CARE ORGANIZATION SHALL DEVELOP AND MAINTAIN~~
 17 ~~A PROVIDER NETWORK THAT ENSURES THAT ENROLLEES HAVE ACCESS TO THE~~
 18 ~~SITES WHERE THEY RECEIVE PHARMACY SERVICES AS FOLLOWS:~~

19 ~~1. IN URBAN AREAS, WITHIN 5 MILES OF EACH~~
 20 ~~ENROLLEE'S RESIDENCE;~~

21 ~~2. IN RURAL AREAS, WITHIN 15 MILES OF EACH~~
 22 ~~ENROLLEE'S RESIDENCE; AND~~

23 ~~3. IN SUBURBAN AREAS, WITHIN 10 MILES OF EACH~~
 24 ~~ENROLLEE'S RESIDENCE.~~

25 ~~(ii) FOR A MANAGED CARE ORGANIZATION THAT IS UNABLE TO~~
 26 ~~MEET THE REQUIREMENTS OF SUBPARAGRAPH (i) OF THIS PARAGRAPH, IF THE~~
 27 ~~MANAGED CARE ORGANIZATION IS ABLE TO DEMONSTRATE TO THE DEPARTMENT'S~~
 28 ~~SATISFACTION THE ADEQUACY OF ITS PROVIDER NETWORK TO PROVIDE~~
 29 ~~ENROLLEES ACCESS TO THE SITES WHERE THEY RECEIVE PHARMACY SERVICES,~~
 30 ~~THE DEPARTMENT MAY APPROVE THE NETWORK IF:~~

31 ~~1. SPECIAL CIRCUMSTANCES EXIST THAT~~
 32 ~~DEMONSTRATE THE STRENGTH OF THE MANAGED CARE ORGANIZATION'S PROVIDER~~
 33 ~~NETWORK; AND~~

~~2. APPROVAL OF THE NETWORK BY THE DEPARTMENT
WILL ENHANCE THE OVERALL ACCESS OF ENROLLEES TO QUALITY PHARMACY
SERVICES IN THE AREA TO BE SERVED.~~

(31) ANY PHARMACY IN THE STATE MAY PARTICIPATE IN THE
PHARMACY NETWORK OF A MANAGED CARE ORGANIZATION IF THE PHARMACY:

(I) HOLDS A PERMIT UNDER TITLE 12 OF THE HEALTH
OCCUPATIONS ARTICLE; AND

(II) AGREES TO ACCEPT THE TERMS AND REIMBURSEMENT
ESTABLISHED BY THE MANAGED CARE ORGANIZATION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
1, 2015.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.