

# HOUSE BILL 1212

C3

7lr3272

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By: **Delegate Frick**

Introduced and read first time: February 9, 2017

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Prior Authorization for Opioid Antagonists – Prohibition**

3 FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health  
4 maintenance organizations from applying a preauthorization requirement for opioid  
5 antagonist drug products; providing for the application of this Act; providing for a  
6 delayed effective date; and generally relating to health insurance coverage for opioid  
7 antagonist drug products.

8 BY adding to

9 Article – Insurance

10 Section 15–850

11 Annotated Code of Maryland

12 (2011 Replacement Volume and 2016 Supplement)

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

15 **Article – Insurance**

16 **15–850.**

17 **(A) IN THIS SECTION, “OPIOID ANTAGONIST” MEANS:**

18 **(1) NALOXONE HYDROCHLORIDE; OR**

19 **(2) ANY OTHER SIMILARLY ACTING AND EQUALLY SAFE DRUG**  
20 **APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE**  
21 **TREATMENT OF A DRUG OVERDOSE.**

22 **(B) (1) THIS SECTION APPLIES TO:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(I) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT**  
2 **PROVIDE COVERAGE FOR PRESCRIPTION DRUGS UNDER INDIVIDUAL, GROUP, OR**  
3 **BLANKET HEALTH INSURANCE POLICIES OR CONTRACTS THAT ARE ISSUED OR**  
4 **DELIVERED IN THE STATE; AND**

5                   **(II) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE**  
6 **COVERAGE FOR PRESCRIPTION DRUGS UNDER GROUP CONTRACTS THAT ARE**  
7 **ISSUED OR DELIVERED IN THE STATE.**

8                   **(2) AN INSURER, A NONPROFIT HEALTH SERVICE PLAN, OR A HEALTH**  
9 **MAINTENANCE ORGANIZATION THAT PROVIDES COVERAGE FOR PRESCRIPTION**  
10 **DRUGS THROUGH A PHARMACY BENEFITS MANAGER IS SUBJECT TO THE**  
11 **REQUIREMENTS OF THIS SECTION.**

12                   **(C) AN ENTITY SUBJECT TO THIS SECTION THAT INCLUDES ON ITS**  
13 **FORMULARY AN OPIOID ANTAGONIST MAY NOT APPLY A PRIOR AUTHORIZATION**  
14 **REQUIREMENT FOR THE OPIOID ANTAGONIST.**

15                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
16 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or  
17 after January 1, 2018.

18                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 January 1, 2018.