

Department of Legislative Services
 Maryland General Assembly
 2018 Session

FISCAL AND POLICY NOTE
 Third Reader - Revised

House Bill 1558

(Delegate Morales, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

Pharmacists - Dispensing of Prescription Drugs - Single Dispensing of Dosage Units

This bill authorizes a pharmacist to dispense, in a single dispensing and exercising the professional judgment of the pharmacist, a quantity of a prescription drug that (1) is up to the total number of dosage units authorized by the original prescription and any refills and (2) does not exceed a 90-day supply of the drug. For a contraceptive dispensed on or after January 1, 2020, the single dispensing cannot exceed a 12-month supply of the drug. The authorization does not apply to a controlled dangerous substance or the first prescription or change in a prescription for a patient. A pharmacist *may not* dispense, in a single dose, a quantity of a prescription drug that exceeds the limit prescribed if the prescriber has indicated that the prescription be dispensed only as prescribed.

Fiscal Summary

State Effect: No effect on the State Employee and Retiree Health and Welfare Benefits Program. Revenues are not affected.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: Under § 15-824 of the Insurance Article, health insurance carriers that provide coverage for prescription drugs must allow an insured or enrollee, if authorized by an authorized prescriber, to receive up to a 90-day supply of a maintenance drug in a single dispensing of the prescription. This does not apply to the first prescription or a change in the prescription. Whenever a health insurance carrier increases the copayment for a single

dispensing of a prescription in a supply in excess of 30 days, the carrier must also proportionately increase the dispensing fee to the pharmacist for the prescription.

Under Chapters 436 and 437 of 2016, health insurance carriers, including Medicaid and the Maryland Children’s Health Program, must provide coverage for a single dispensing of a six-month supply of prescription contraceptives. This requirement does not apply to the first two-month supply of prescription contraceptives dispensed under the initial prescription or any subsequent prescription for a contraceptive that is different than the last contraceptive dispensed. Carriers may provide for a smaller supply if a six-month supply would extend beyond the plan year.

Background: If a patient with a prescription for a maintenance drug that is written for a 30-day supply with multiple refills wishes to receive a 90-day supply in one dispensing, a pharmacist must currently call the prescriber for authorization to convert the prescription to a 90-day supply. Conversion to a 90-day supply may provide benefits to consumers in reducing trips to the pharmacy and improving medication adherence.

Additional Information

Prior Introductions: HB 1159 of 2017, a similar bill, passed the House with amendments; was assigned to the Senate Education, Health, and Environmental Affairs Committee; and was later withdrawn. Its cross file, SB 814, passed the Senate with amendments, received a hearing in the House Health and Government Operations Committee, and was later withdrawn.

Cross File: None.

Information Source(s): Department of Budget and Management; Maryland Department of Health; Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2018
mm/ljm Third Reader - March 26, 2018
Revised - Amendment(s) - March 26, 2018

Analysis by: Jennifer B. Chasse

Direct Inquiries to:
(410) 946-5510
(301) 970-5510