

# HOUSE BILL 1148

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By: **Delegate Krimm**

Introduced and read first time: February 8, 2019

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Insurance – Pharmacy Benefits Managers – Records and Notice Concerning**  
3 **Medications Dispensed to Insureds**

4 FOR the purpose of requiring each pharmacy benefits manager to maintain certain  
5 medication dispensing records for certain insureds and to notify certain pharmacists  
6 and prescribers of certain potential problems that the pharmacy benefits manager  
7 identifies; and generally relating to pharmacy benefits management services.

8 BY repealing and reenacting, with amendments,

9 Article – Insurance

10 Section 15–1608

11 Annotated Code of Maryland

12 (2017 Replacement Volume and 2018 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 15–1608.

17 **(A)** A pharmacy benefits manager shall maintain adequate books and records  
18 about each purchaser for which the pharmacy benefits manager provides pharmacy  
19 benefits management services:

20 (1) in accordance with prudent standards of record keeping;

21 (2) for the duration of the agreement between the pharmacy benefits  
22 manager and the purchaser; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) for 3 years after the pharmacy benefits manager ceases to provide  
2 pharmacy benefits management services for the purchaser.

3 (B) EACH PHARMACY BENEFITS MANAGER SHALL:

4 (1) MAINTAIN ADEQUATE MEDICATION DISPENSING RECORDS FOR  
5 EACH INSURED WHO:

6 (I) IS AT LEAST 65 YEARS OLD;

7 (II) IS RECEIVING PHARMACY BENEFITS THROUGH THE STATE  
8 EMPLOYEE AND RETIREE HEALTH AND WELFARE BENEFITS PROGRAM; AND

9 (III) IS PROVIDED THE PHARMACY BENEFITS THROUGH THE  
10 PHARMACY BENEFITS MANAGER; AND

11 (2) NOTIFY PHARMACISTS AND PRESCRIBERS PROVIDING HEALTH  
12 CARE SERVICES TO AN INSURED DESCRIBED UNDER ITEM (1) OF THIS SUBSECTION  
13 OF ANY POTENTIAL PROBLEMS THAT THE PHARMACY BENEFITS MANAGER  
14 IDENTIFIES CONCERNING THE MEDICATIONS THAT HAVE BEEN DISPENSED TO THE  
15 INSURED, INCLUDING:

16 (I) MEDICATION INTERACTIONS;

17 (II) DUPLICATE THERAPY;

18 (III) OVERUTILIZATION OR UNDERUTILIZATION; OR

19 (IV) EXCESSIVE OR INSUFFICIENT DOSING.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2019.