

Chapter 550

(House Bill 759)

AN ACT concerning

Pharmacy Benefits Managers – Pharmacy Choice

FOR the purpose of prohibiting, except under certain circumstances, a pharmacy benefits manager from requiring that a beneficiary use a specific pharmacy or entity to fill a prescription if the pharmacy benefits manager or a certain affiliate of the pharmacy benefits manager has an ownership interest in the pharmacy or entity or if the pharmacy or entity has an ownership interest in the pharmacy benefits manager or a certain affiliate of the pharmacy benefits manager; and generally relating to pharmacy benefits managers.

BY adding to

Article – Insurance

Section 15–1611.1

Annotated Code of Maryland

(2017 Replacement Volume and 2018 Supplement)

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

Article – Insurance**15–1611.1.**

(A) ~~A~~ EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PHARMACY BENEFITS MANAGER MAY NOT REQUIRE THAT A BENEFICIARY USE A SPECIFIC PHARMACY OR ENTITY TO FILL A PRESCRIPTION IF:

(1) THE PHARMACY BENEFITS MANAGER OR A CORPORATE AFFILIATE OF THE PHARMACY BENEFITS MANAGER HAS AN OWNERSHIP INTEREST IN THE PHARMACY OR ENTITY; OR

(2) THE PHARMACY OR ENTITY HAS AN OWNERSHIP INTEREST IN THE PHARMACY BENEFITS MANAGER OR A CORPORATE AFFILIATE OF THE PHARMACY BENEFITS MANAGER.

(B) A PHARMACY BENEFITS MANAGER MAY REQUIRE A BENEFICIARY TO USE A SPECIFIC PHARMACY OR ENTITY FOR A SPECIALTY DRUG AS DEFINED IN § 15–847 OF THIS TITLE.

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

Approved by the Governor, May 13, 2019.