

HOUSE BILL 578

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CF SB 323

By: Delegates Kaiser, Carr, Charkoudian, Landis, Lehman, Moon, Palakovich Carr, Patterson, Pena-Melnyk, ~~and P. Young~~ P. Young, Pendergrass, Bagnall, Belcastro, Bhandari, Chisholm, Cullison, Hill, Johnson, Kelly, Kerr, Kipke, Krebs, R. Lewis, Morgan, Reilly, Rosenberg, Saab, Szeliga, and K. Young

Introduced and read first time: January 31, 2022

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 7, 2022

CHAPTER _____

1 AN ACT concerning

2 ~~Maryland Medical Assistance Programs – Prior Authorization for Drug~~
3 ~~Products~~ **Public Health – Medications to Treat an Opioid Use Disorder –**
4 ~~Prohibition~~ **Preferred and Nonpreferred Medications**

5 FOR the purpose of ~~prohibiting the Maryland Medical Assistance Program and the~~
6 ~~Maryland Children’s Health Program from applying a prior authorization~~
7 ~~requirement for certain drug products when used to treat an opioid use disorder; and~~
8 ~~generally relating to Maryland medical assistance programs and the coverage of~~
9 ~~drug products~~ requiring the Maryland Department of Health to adopt a certain
10 reporting system, analyze patterns of prescribing medications in the State, conduct
11 outreach, and identify certain barriers related to prescribing medications to treat an
12 opioid use disorder; and generally relating to medications to treat an opioid use
13 disorder.

14 BY adding to

15 Article – Health – General

16 Section ~~15-150~~ 8-1102 to be under the amended subtitle “Subtitle 11. Opioid
17 Addiction Treatment Prescribers”

18 Annotated Code of Maryland

19 (2019 Replacement Volume and 2021 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 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That the Laws of Maryland read as follows:

3 Article – Health – General

4 ~~15-150.~~

5 ~~THE PROGRAM AND THE MARYLAND CHILDREN'S HEALTH PROGRAM MAY~~
6 ~~NOT APPLY A PRIOR AUTHORIZATION REQUIREMENT FOR A PRESCRIPTION DRUG:~~

7 ~~(1) WHEN USED FOR TREATMENT OF AN OPIOID USE DISORDER; AND~~

8 ~~(2) THAT CONTAINS METHADONE, BUPRENORPHINE, OR~~
9 ~~NALTREXONE.~~

10 Subtitle 11. [Availability of] Opioid Addiction Treatment Prescribers.

11 8-1102.

12 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
13 INDICATED.

14 (2) "NONPREFERRED MEDICATION" MEANS A MEDICATION
15 PRESCRIBED TO TREAT AN OPIOID USE DISORDER THAT CONTAINS METHADONE,
16 BUPRENORPHINE, OR NALTREXONE AND IS NOT ON THE STATE'S PREFERRED DRUG
17 LIST.

18 (3) "PREFERRED MEDICATION" MEANS A MEDICATION PRESCRIBED
19 TO TREAT AN OPIOID USE DISORDER THAT CONTAINS METHADONE,
20 BUPRENORPHINE, OR NALTREXONE AND IS ON THE STATE'S PREFERRED DRUG LIST.

21 (B) THE DEPARTMENT SHALL:

22 (1) ADOPT A REPORTING SYSTEM TO MONITOR THE PRESCRIBING OF
23 MEDICATIONS TO TREAT OPIOID USE DISORDERS IN THE STATE, INCLUDING WHICH
24 MEDICATIONS ARE BEING PRESCRIBED;

25 (2) ANALYZE PATTERNS OF PRESCRIBING MEDICATIONS IN THE
26 STATE TO IDENTIFY PRESCRIBERS WHO REGULARLY PRESCRIBE NONPREFERRED
27 MEDICATIONS, INCLUDING A COMPARISON OF THE PATTERNS TO THE FINDINGS OF
28 THE REPORT SUBMITTED UNDER SUBSECTION (D) OF THIS SECTION;

29 (3) CONDUCT OUTREACH TO INDIVIDUALS AUTHORIZED TO
30 PRESCRIBE DRUGS AND DEVICES IN THE STATE USING EDUCATIONAL MATERIALS
31 REGARDING THE BENEFITS OF PRESCRIBING PREFERRED MEDICATIONS; AND

1 **(4) IDENTIFY BARRIERS TO INDIVIDUALS WHO NEED MEDICATION TO**
2 **TREAT AN OPIOID USE DISORDER TO OBTAINING THE MEDICATION IN A TIMELY**
3 **MANNER.**

4 **(C) ON OR BEFORE OCTOBER 1 EACH YEAR, BEGINNING IN 2023, THE**
5 **DEPARTMENT SHALL REPORT ON ITS FINDINGS AND ACTIONS TAKEN UNDER**
6 **SUBSECTION (B) OF THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH**
7 **§ 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.**

8 **(D) ON OR BEFORE OCTOBER 1, 2022, THE DEPARTMENT SHALL SUBMIT A**
9 **REPORT WITH AN INITIAL ANALYSIS OF THE ITEMS LISTED UNDER SUBSECTION (B)**
10 **OF THIS SECTION, TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE**
11 **STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 ~~October~~ July 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.