

HB0424/443220/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 424
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**and White Holland**” and substitute “**White Holland, Alston, Bagnall, Bhandari, Guzzone, Hill, S. Johnson, Kaiser, Kerr, Lopez, Martinez, Pena–Melnik, Rosenberg, Taveras, Woods, and Woorman**”; in line 5, strike “all”; and in line 10, after “Board;” insert “requiring the Board to confer with the Maryland Medical Assistance Program before establishing an upper payment limit that applies to the Program;”.

AMENDMENT NO. 2

On page 6, in line 21, strike “ALL”.

On page 7, in lines 4 and 18, in each instance, strike “ALL”; after line 12, insert:

“(3) BEFORE ESTABLISHING AN UPPER PAYMENT LIMIT THAT APPLIES TO THE MARYLAND MEDICAL ASSISTANCE PROGRAM, THE BOARD SHALL CONFER WITH THE MARYLAND MEDICAL ASSISTANCE PROGRAM TO APPROVE THE APPLICATION OF THE UPPER PAYMENT LIMIT BY ASSESSING WHETHER THE PROPOSED UPPER PAYMENT LIMIT WILL:

(i) CONFLICT WITH THE MEDICAID DRUG REBATES PROGRAM, THE COVERED OUTPATIENT DRUG RULE (CMS–2345–FC), OR ANY OTHER FEDERAL REQUIREMENTS AS APPLICABLE; AND

(ii) REQUIRE ADDITIONAL FUNDING TO BE ALLOCATED TO THE MARYLAND MEDICAL ASSISTANCE PROGRAM BUDGET.”;

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in line 17, after “(C)” insert “**(1)**”; in the same line, strike “**IF**” and substitute “**SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF**”; after line 20, insert:

“(2) THIS SUBSECTION DOES NOT APPLY WITH RESPECT TO:

**(i) PAYOR REIMBURSEMENTS UNDER MEDICARE PART C
AND D PLANS;**

**(ii) PURCHASES UNDER THE FEDERAL 340B DRUG PRICING
PROGRAM; AND**

**(iii) PURCHASES AND PAYOR REIMBURSEMENTS UNDER
FEDERAL PROGRAMS THAT ARE PREEMPTED BY FEDERAL LAW INCLUDING:**

1. THE DEPARTMENT OF DEFENSE;

2. THE DEPARTMENT OF VETERANS AFFAIRS;

3. THE PUBLIC HEALTH SERVICE;

4. THE UNITED STATES COAST GUARD;

5. TRICARE;

**6. THE FEDERAL EMPLOYEES HEALTH BENEFIT
PLAN; AND**

**7. ANY OTHER EXCLUSIVE FEDERAL PROGRAM AS
APPLICABLE.”;**

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and in line 30, strike “September 31” and substitute “September 30”.

On page 8, in line 2, strike “December 31” and substitute “September 30”.