

SENATE BILL 235

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1998 Regular Session  
8r1548  
CF HB 173

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By: **Senators Astle, Hollinger, Kelley, Stoltzfus, and Derr**  
Introduced and read first time: January 30, 1998  
Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Maintenance Drug Prescriptions - Supply Quantity - Repeal of Termination**  
3 **Date and Alteration of Application**

4 FOR the purpose of repealing a certain termination date for and altering the  
5 application of a provision of law that requires certain health insurers, nonprofit  
6 health service plans, and health maintenance organizations to allow an insured  
7 or enrollee to receive a certain supply quantity of a maintenance drug in a single  
8 dispensing under certain circumstances.

9 BY repealing and reenacting, with amendments,  
10 Article - Insurance  
11 Section 15-824  
12 Annotated Code of Maryland  
13 (1997 Volume)

14 BY repealing and reenacting, with amendments,  
15 Chapter 232 of the Acts of the General Assembly of 1997  
16 Section 3

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

19 **Article - Insurance**

20 15-824.

21 (a) (1) In this section the following words have the meanings indicated.

22 (2) "Authorized prescriber" has the meaning stated in § 12-101 of the  
23 Health Occupations Article.

24 (3) "Maintenance drug" means a drug anticipated to be required for 6  
25 months or more to treat a chronic condition.

26 (b) This section applies to:

1 (1) insurers and nonprofit health service plans that provide coverage for  
2 drugs under health insurance policies or contracts that are delivered or issued for  
3 delivery in the State to employers or individuals on a group or individual basis;

4 (2) health maintenance organizations that provide coverage for drugs  
5 under contracts that are delivered or issued for delivery in the State to employers or  
6 individuals on a group or individual basis; and

7 (3) a health insurance contract or policy THAT provides coverage for  
8 drugs that is issued to a small employer under Subtitle 12 of this title.

9 (c) This section does not apply to an insured or enrollee who is a resident of a  
10 nursing home.

11 (d) (1) An entity subject to this section shall allow an insured or enrollee, if  
12 authorized by an authorized prescriber, to receive up to a 90-day supply of a  
13 maintenance drug in a single dispensing of the prescription.

14 (2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO NOT  
15 APPLY TO THE FIRST PRESCRIPTION FOR A MAINTENANCE DRUG THAT THE  
16 AUTHORIZED PRESCRIBER PRESCRIBES FOR THE INSURED OR ENROLLEE.

17 (e) Whenever an entity subject to this section increases the co-payment for a  
18 single dispensing of a prescription in a supply in excess of 30 days, the entity shall  
19 also proportionately increase the dispensing fee to the pharmacist for the  
20 prescription.

21

#### **Chapter 232 of the Acts of 1997**

22 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 1997. [It shall remain effective for a period of 1 year and, at the end of  
24 September 30, 1998, with no further action required by the General Assembly, this  
25 Act shall be abrogated and of no further force and effect.]

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 July 1, 1998.