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1998 Regular Session  
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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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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 4, 1998  
Returned to second reading: March 10, 1998  
Senate action: Adopted with floor amendments  
Read second time: March 10, 1998

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CHAPTER \_\_\_\_\_

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; prohibiting a certain limitation on a  
9 maintenance drug purchase; limiting a certain co-payment for an enrollee of a  
10 health maintenance organization; and generally relating to the dispensing of a  
11 maintenance drug prescription.

12 BY repealing and reenacting, with amendments,  
13 Article - Insurance  
14 Section 15-824  
15 Annotated Code of Maryland  
16 (1997 Volume)

17 BY repealing and reenacting, with amendments,  
18 Chapter 232 of the Acts of the General Assembly of 1997  
19 Section 3

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

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**Article - Insurance**

2 15-824.

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

4 (2) "Authorized prescriber" has the meaning stated in § 12-101 of the  
5 Health Occupations Article.6 (3) "Maintenance drug" means a drug anticipated to be required for 6  
7 months or more to treat a chronic condition.

8 (b) This section applies to:

9 (1) insurers and nonprofit health service plans that provide coverage for  
10 drugs under health insurance policies or contracts that are delivered or issued for  
11 delivery in the State to employers or individuals on a group or individual basis; AND12 (2) health maintenance organizations that provide coverage for drugs  
13 under contracts that are delivered or issued for delivery in the State to employers or  
14 individuals on a group or individual basis; ~~and,~~15 ~~(3) a health insurance contract or policy THAT provides coverage for~~  
16 ~~drugs that is issued to a small employer under Subtitle 12 of this title.~~17 (c) This section does not apply to an insured or enrollee who is a resident of a  
18 nursing home.19 (d) (1) An entity subject to this section shall allow an insured or enrollee, if  
20 authorized by an authorized prescriber, to receive up to a 90-day supply of a  
21 maintenance drug in a single dispensing of the prescription.22 (2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO NOT  
23 APPLY TO THE FIRST PRESCRIPTION OR CHANGE IN A PRESCRIPTION FOR A  
24 MAINTENANCE DRUG THAT THE AUTHORIZED PRESCRIBER PRESCRIBES FOR THE  
25 INSURED OR ENROLLEE.26 (e) Whenever an entity subject to this section increases the co-payment for a  
27 single dispensing of a prescription in a supply in excess of 30 days, the entity shall  
28 also proportionately increase the dispensing fee to the pharmacist for the  
29 prescription.30 (F) THE PURCHASE OF A 90-DAY SUPPLY OF A MAINTENANCE DRUG MAY NOT  
31 BE LIMITED TO PURCHASE THROUGH MAIL ORDER.32 (G) FOR AN ENROLLEE OF A HEALTH MAINTENANCE ORGANIZATION, THE  
33 CO-PAYMENT FOR RETAIL PURCHASE OF A MAINTENANCE DRUG MAY ONLY EXCEED  
34 THE CO-PAYMENT FOR MAIL ORDER PURCHASE OF THE MAINTENANCE DRUG BY AN  
35 AMOUNT NOT TO EXCEED \$10.

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**Chapter 232 of the Acts of 1997**

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

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