

SENATE BILL 181

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2001 Regular Session
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By: **Senators Hollinger, Middleton, Blount, Bromwell, Collins, Frosh,
Hoffman, Jimeno, Lawlah, Munson, Neall, Ruben, Sfikas, Stone, and
Teitelbaum**

Introduced and read first time: January 19, 2001

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Maintenance Prescription Drugs - Supply**

3 FOR the purpose of increasing the supply of a maintenance prescription drug that
4 certain insurers, nonprofit health service plans, and health maintenance
5 organizations are required to allow insureds or enrollees to receive under a
6 single dispensing of a prescription; and generally relating to health insurance
7 coverage for maintenance prescription drugs.

8 BY repealing and reenacting, with amendments,

9 Article - Insurance

10 Section 15-824

11 Annotated Code of Maryland

12 (1997 Volume and 2000 Supplement)

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

15 **Article - Insurance**

16 15-824.

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

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

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

22 (b) This section applies to:

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

1 (2) health maintenance organizations that provide coverage for drugs
2 under contracts that are delivered or issued for delivery in the State to employers or
3 individuals on a group or individual basis.

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

6 (d) (1) An entity subject to this section shall allow an insured or enrollee, if
7 authorized by an authorized prescriber, to receive up to a [90-day] 100-DAY supply of
8 a maintenance drug in a single dispensing of the prescription.

9 (2) The provisions of paragraph (1) of this subsection do not apply to the
10 first prescription or change in a prescription for a maintenance drug that the
11 authorized prescriber prescribes for the insured or enrollee.

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

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2001.