Unofficial Copy J1

# By: Delegate Hammen

Introduced and read first time: February 13, 2003 Assigned to: Rules and Executive Nominations

# A BILL ENTITLED

1 AN ACT concerning

#### 2

### Maryland Pharmacy Assistance Program - Copayment

3 FOR the purpose of altering the required copayment for the Maryland Pharmacy

- 4 Assistance Program; and generally relating to copayments and the Maryland
- 5 Pharmacy Assistance Program.

## 6 BY repealing and reenacting, without amendments,

- 7 Article Health General
- 8 Section 15-124(a)(1)
- 9 Annotated Code of Maryland
- 10 (2000 Replacement Volume and 2002 Supplement)

11 BY repealing and reenacting, with amendments,

- 12 Article Health General
- 13 Section 15-124(b)
- 14 Annotated Code of Maryland
- 15 (2000 Replacement Volume and 2002 Supplement)

## 16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

- 17 MARYLAND, That the Laws of Maryland read as follows:
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## Article - Health - General

19 15-124.

20 (a) (1) The Department shall maintain a Maryland Pharmacy Assistance 21 Program for low income individuals whose:

- 22 (i) Assets are not more than 1.5 times the amount of accountable
- 23 resources according to the asset schedule of the Maryland Medical Assistance
- 24 Program; and
  - (ii) Gross annual income does not exceed:

## HOUSE BILL 950

1 2	unit; and	1.	\$4,600 plus \$500 for each individual over 1 in a family
3 4	(2)(ii)4 of this subsection.	2.	An annual increase set by the Secretary under paragraph
7	(b) (1) (i) Reimbursement under the Maryland Pharmacy Assistance Program may be limited to maintenance drugs, anti-infectives, and AZT as specified in regulations to be issued by the Secretary after consultation with the Maryland Pharmacists Association.		
11 12	<ul> <li>(ii) 1. For any drug on the Program's interchangeable drug list,</li> <li>the Program shall reimburse providers in an amount not more than it would</li> <li>reimburse for the drug's generic equivalent, unless the individual's physician states,</li> <li>in his or her own handwriting, on the face of the prescription, that a specific brand is</li> <li>"medically necessary" for the particular patient.</li> </ul>		
	the Department may waive sub-subparagraph 1 of this		
19	(2) The reimbursement shall be up to the amount paid for the same items or services under the pharmacy program of the Maryland Medical Assistance Program and shall be subject to a copayment of not more than [\$5.00 for each covered item or service]:		
21 22	(I) LIST ESTABLISHED BY		FOR A GENERIC DRUG OR A DRUG ON A PREFERRED DRUG ARTMENT; AND
23	(II)	\$7.50 H	FOR A BRAND NAME DRUG.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

25 October 1, 2003.