P4 5lr0942

### (PRE-FILED)

By: Delegate Franchot

Requested: November 10, 2004

Introduced and read first time: January 12, 2005

Assigned to: Appropriations

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#### A BILL ENTITLED

1	ΑN	ACT	concerning
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# 2 State Employees - Prescription Drugs - Canadian Mail Order Plan

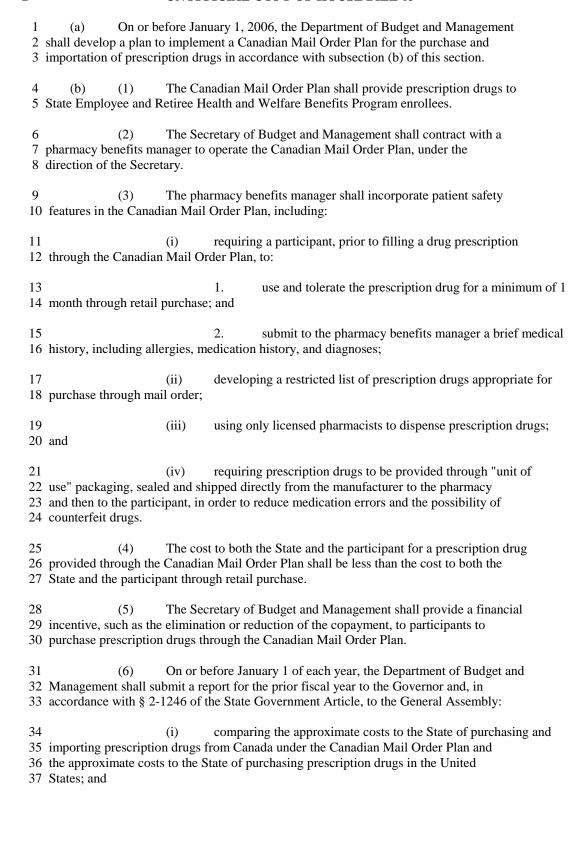
3	FOR th	ne purpose of	f requiring th	ne Department	of Budget and	Management, on or
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- 4 before a certain date, to seek approval of a certain waiver from the federal Food
- 5 and Drug Administration to operate a program to purchase and import
- 6 prescription drugs from Canada and to certify the safety and efficacy of the
- 7 imported prescription drugs; requiring the Department, on or before a certain
- 8 date, to develop a plan to implement a Canadian Mail Order Plan for the
- 9 purchase and importation of prescription drugs; requiring the Canadian Mail
- 10 Order Plan to provide prescription drugs to certain individuals; requiring the
- Secretary of Budget and Management to contract with a pharmacy benefits
- manager to operate the Canadian Mail Order Plan, under the Secretary's
- direction; requiring the pharmacy benefits manager to incorporate certain
- patient safety features in the Canadian Mail Order Plan; specifying certain cost
- requirements for a prescription drug provided through the Canadian Mail Order
- Plan; requiring the Secretary to provide certain financial incentives to
- 17 participants to purchase prescription drugs through the Canadian Mail Order
- Plan; requiring the Department to submit a certain annual report to the
- 19 Governor and the General Assembly; requiring the Department to implement a
- 20 certain plan within a certain number of days after the approval of certain
- 21 requests; providing for the termination of this Act contingent on certain
- 22 circumstances; requiring that certain savings be allocated to a dedicated
- purpose account for certain purposes; and generally relating to a Canadian Mail
- 24 Order Plan for the purchase and importation of prescription drugs from Canada.

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

- 26 MARYLAND, That, on or before November 1, 2005, the Department of Budget and
- 27 Management, in consultation with the Attorney General's Office, shall seek approval
- 28 of a waiver from the federal Food and Drug Administration that would allow the State
- 29 to operate a program to purchase and import prescription drugs from Canada and
- 30 certify the safety and efficacy of any prescription drugs imported from Canada.

## 31 SECTION 2. AND BE IT FURTHER ENACTED, That:



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- 1 (ii) specifying the savings, if any, realized as a result of 2 participation in the Canadian Mail Order Plan.
- 3 SECTION 3. AND BE IT FURTHER ENACTED, That:
- 4 (a) The Department of Budget and Management shall implement the
- 5 Canadian Mail Order Plan in accordance with the implementation plan required
- 6 under Section 2 of this Act within 30 days after approval by the federal Food and
- 7 Drug Administration of the waiver applied for under Section 1 of this Act.
- 8 (b) If the waiver or the request specified in subsection (a) of this section is
- 9 denied, this Act shall be null and void without the necessity of any further action by
- 10 the General Assembly.
- 11 (c) The Department of Budget and Management, within 5 days after receiving
- 12 notice of approval or denial of a waiver or request specified in subsection (a) of this
- 13 section, shall forward a copy of the notice to the Department of Legislative Services,
- 14 90 State Circle, Annapolis, Maryland 21401.
- 15 SECTION 4. AND BE IT FURTHER ENACTED, That any savings the
- 16 Department of Budget and Management, as of July 1 of each year, anticipates
- 17 achieving during the current fiscal year through a Canadian Mail Order Plan in
- 18 accordance with the implementation plan required under Section 2 of this Act shall be
- 19 allocated to a dedicated purpose account for breast cancer research and prevention for
- 20 low-income women at the University of Maryland Medical System.
- 21 SECTION 5. AND BE IT FURTHER ENACTED, That, subject to the provisions
- 22 of Section 3 of this Act, this Act shall take effect July 1, 2005.