
By: **Senator Middleton**

Introduced and read first time: January 27, 2005

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Senior Prescription Drug Program - Sunset Extension**

3 FOR the purpose of extending the termination date of the Senior Prescription Drug
4 Program; and generally relating to the Senior Prescription Drug Program.

5 BY repealing and reenacting, with amendments,
6 Chapter 153 of the Acts of the General Assembly of 2002
7 Section 13

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

10 **Chapter 153 of the Acts of 2002**

11 SECTION 13. AND BE IT FURTHER ENACTED, That:

12 (1) No later than June 1, 2003, the Secretary of Health and Mental Hygiene
13 and the carrier that is required to offer the Short-Term Prescription Drug Subsidy
14 Plan under Title 15, Subtitle 6 of the Health - General Article shall transfer all Plan
15 records, data, and other information necessary to operate and administer the Senior
16 Prescription Drug Program established under this Act to the Board of the Maryland
17 Health Insurance Plan.

18 (2) Each individual enrolled in the Short-Term Prescription Drug Subsidy
19 Plan, established under Title 15, Subtitle 6 of the Health - General Article, on June
20 30, 2003 shall, at the option of the enrollee and subject to the payment of all necessary
21 premiums and copayments, be automatically enrolled in the Senior Prescription Drug
22 Program established under this Act.

23 (3) It is the intent of the General Assembly that the transition of enrollees
24 from the Short-Term Prescription Drug Subsidy Plan to the Senior Prescription Drug
25 Program be accomplished without interruption of benefits for enrollees.

26 (4) Benefits shall be offered to enrollees through the Senior Prescription Drug
27 Program established under Title 14, Subtitle 5, Part II of the Insurance Article
28 beginning July 1, 2003. On the earlier of the end of [June 30, 2005] MARCH 31, 2006,

1 or the availability of comparable prescription drug benefits provided by Medicare
2 under Title XVIII of the Social Security Act, as amended, with no further action
3 required by the General Assembly, the Senior Prescription Drug Program established
4 under Title 14, Subtitle 5, Part II, as amended, shall be abrogated and of no further
5 force and effect. If comparable prescription drug benefits are provided by Medicare
6 under Title XVIII of the Social Security Act, the Secretary of Health and Mental
7 Hygiene shall notify the Department of Legislative Services, 90 State Circle,
8 Annapolis, Maryland 21401 no later than 90 days before the prescription drug
9 benefits are to be provided.

10 (5) Beginning April 1, 2003, the carrier required to offer the Short-Term
11 Prescription Drug Subsidy Plan under Title 15, Subtitle 6 of the Health - General
12 Article and the Senior Prescription Drug Program under Title 14, Subtitle 5 of the
13 Insurance Article shall subsidize the Plan and beginning July 1, 2003, the Program,
14 using the value of the carrier's premium tax exemption.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 July 1, 2005.