
By: **Senator Klausmeier**

Introduced and read first time: January 31, 2005

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Pharmacies - Electronic Reimbursement**

3 FOR the purpose of requiring certain insurers, nonprofit health service plans, and
4 health maintenance organizations to reimburse a pharmacy electronically and
5 provide appropriate payment data electronically under certain circumstances;
6 prohibiting the imposition of a certain processing fee; and generally relating to
7 electronic claim reimbursement for pharmacies.

8 BY adding to

9 Article - Health - General
10 Section 19-706(ddd)
11 Annotated Code of Maryland
12 (2000 Replacement Volume and 2004 Supplement)

13 BY adding to

14 Article - Insurance
15 Section 15-131
16 Annotated Code of Maryland
17 (2002 Replacement Volume and 2004 Supplement)

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

20 **Article - Health - General**

21 19-706.

22 (DDD) THE PROVISIONS OF § 15-131 OF THE INSURANCE ARTICLE APPLY TO
23 HEALTH MAINTENANCE ORGANIZATIONS.

24 **Article - Insurance**

25 15-131.

26 (A) THIS SECTION APPLIES TO:

1 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE,
2 DIRECTLY OR THROUGH A PHARMACY BENEFIT MANAGER, COVERAGE FOR
3 PRESCRIPTION DRUGS UNDER HEALTH INSURANCE POLICIES OR CONTRACTS THAT
4 ARE ISSUED OR DELIVERED IN THE STATE; AND

5 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE, DIRECTLY
6 OR THROUGH A PHARMACY BENEFIT MANAGER, COVERAGE FOR PRESCRIPTION
7 DRUGS UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

8 (B) IF AN ENTITY SUBJECT TO THIS SECTION REQUIRES A PHARMACY TO
9 SUBMIT A REQUEST FOR PAYMENT ELECTRONICALLY, THEN THE PHARMACY OR
10 DESIGNATED AGENT MAY CHOOSE TO BE REIMBURSED ELECTRONICALLY, AND IN
11 THAT EVENT THE ENTITY SHALL REIMBURSE THE PHARMACY ELECTRONICALLY,
12 AND SHALL PROVIDE THE APPROPRIATE PAYMENT DATA ELECTRONICALLY.

13 (C) AN ENTITY SUBJECT TO THIS SECTION MAY NOT IMPOSE A PROCESSING
14 FEE FOR THE ELECTRONIC REIMBURSEMENT OR FOR PROVIDING PAYMENT DATA
15 ELECTRONICALLY.

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