

# HOUSE BILL 1004

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CF SB 281

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By: ~~Delegate Donoghue~~ Delegates Donoghue, Hammen, Costa, Elliott, Hubbard, Kach, Kipke, McDonough, Mizeur, Montgomery, Morhaim, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Riley, V. Turner, and Weldon

Introduced and read first time: February 9, 2007  
Assigned to: Health and Government Operations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 28, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 ~~Department of Health and Mental Hygiene – Family Health Administration –~~  
3 Maryland Medbank Program – Funding

4 FOR the purpose of ~~transferring the Maryland Medbank Program to the Family~~  
5 ~~Health Administration within the Department of Health and Mental Hygiene~~  
6 authorizing certain funds to be transferred and appropriated to the Department  
7 of Health and Mental Hygiene in a certain fiscal year for a certain purpose; and  
8 generally relating to funding for the Maryland Medbank Program.

9 BY ~~renumbering~~ repealing and reenacting, without amendments,  
10 Article – Health – General  
11 Section 15–124.2  
12 ~~to be Section 13–2501~~  
13 Annotated Code of Maryland  
14 (2005 Replacement Volume and 2006 Supplement)

15 ~~BY repealing and reenacting, with amendments,~~  
16 ~~Article – Health – General~~

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### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 ~~Section 13-2501 to be under the new subtitle "Subtitle 25. Maryland Medbank~~  
 2 ~~Program"~~  
 3 ~~Annotated Code of Maryland~~  
 4 ~~(2005 Replacement Volume and 2006 Supplement)~~  
 5 ~~(As enacted by Section 1 of this Act)~~

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 7 MARYLAND, ~~That Section(s) 15-124.2 of Article Health General of the Annotated~~  
 8 ~~Code of Maryland be renumbered to be Section(s) 13-2501.~~

9 ~~SECTION 2. AND BE IT FURTHER ENACTED,~~ That the Laws of Maryland  
 10 read as follows:

11 **Article - Health - General**

12 ~~**SUBTITLE 25. MARYLAND MEDBANK PROGRAM.**~~

13 ~~13-2501, 15-124.2.~~

14 (a) In this section, "Program" means the Maryland Medbank Program  
 15 established under this section.

16 (b) There is a Maryland Medbank Program ~~IN THE FAMILY HEALTH~~  
 17 ~~ADMINISTRATION.~~

18 (c) The purpose of the Program is to improve the health status of individuals  
 19 throughout the State who lack prescription drug coverage by providing access to  
 20 medically necessary prescription drugs through patient assistance programs  
 21 sponsored by pharmaceutical drug manufacturers.

22 (d) (1) Subject to paragraph (2) of this subsection, the Program shall be  
 23 administered by the Medbank of Maryland, Inc.

24 (2) The Medbank of Maryland, Inc. shall contract with one or more  
 25 government or nonprofit entities to operate the Program.

26 (e) (1) The Program shall be funded through a grant provided by the  
 27 Department.

28 (2) Program funds may be used in part to:

1 (i) Purchase interim supplies of prescription drugs for enrollees  
2 who have applied to participate in a manufacturer's patient assistance program but  
3 have not yet received the approved prescription drug; and

4 (ii) Distribute medication to enrollees who have been approved  
5 to participate in a manufacturer's patient assistance program.

6 (f) (1) The Medbank of Maryland, Inc. shall ensure that the Program is  
7 available to residents in each of the following geographic regions of the State:

8 (i) Western Maryland;

9 (ii) The Eastern Shore;

10 (iii) The Baltimore metropolitan area;

11 (iv) The Maryland counties in the Washington, D.C.  
12 metropolitan area; and

13 (v) Southern Maryland, including Anne Arundel County.

14 (2) Medbank of Maryland, Inc. shall be the central coordinating office  
15 for the State.

16 (g) Eligibility for the Program shall be limited only by the criteria  
17 established by pharmaceutical manufacturers for their patient assistance programs.

18 (h) (1) The Department shall require detailed financial reports at least  
19 quarterly from Medbank of Maryland, Inc.

20 (2) The Medbank of Maryland, Inc. shall release funds to the entities  
21 that operate the Program as needed and justified by the quarterly reports filed in  
22 accordance with paragraph (1) of this subsection.

23 (i) On or before December 1, 2001, and annually thereafter, the Department  
24 and Medbank of Maryland, Inc. shall report to the Governor and, in accordance with §  
25 2-1246 of the State Government Article, to the General Assembly, on the status of the  
26 Maryland Medbank Program established under this section, including:

27 (1) The number and demographic characteristics of the State residents  
28 served by the Program;

1                   (2)    The types and retail value of prescription drugs accessed through  
2 the Program;

3                   (3)    The nature and extent of outreach performed to inform State  
4 residents of the assistance available through the Program; and

5                   (4)    The total volume and retail value of each brand name drug, by  
6 manufacturer, accessed through the Program.

7                   SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding Section  
8 4 of Chapter 345 of the Acts of the General Assembly or any other provision of law, for  
9 fiscal year 2008 only, funds remaining from the Senior Prescription Drug Program  
10 that have accrued to the account of the Senior Prescription Drug Assistance Program  
11 of the Maryland Health Insurance Plan Fund may be transferred and appropriated in  
12 the budget bill or by budget amendment to the Department of Health and Mental  
13 Hygiene for the purpose of providing a grant, not to exceed \$425,000, to the Maryland  
14 Medbank Program under § 15-124.2 of the Health – General Article.

15                   SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 July 1, 2007.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.