

HOUSE BILL 1033

C3

71r1490

By: **Delegates Taylor, Gutierrez, Kaiser, N. King, Manno, Montgomery, Oaks, Rice, and Vaughn**

Introduced and read first time: February 9, 2007

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Prescription Drugs and Devices – Copayment or**
3 **Coinsurance**

4 FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and
5 health maintenance organizations from imposing a copayment or coinsurance
6 requirement for a covered prescription drug or device that exceeds the retail
7 price of the prescription drug or device.

8 BY adding to

9 Article – Insurance

10 Section 15–842

11 Annotated Code of Maryland

12 (2006 Replacement Volume and 2006 Supplement)

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

15 **Article – Insurance**

16 **15–842.**

17 **(A) (1) THIS SECTION APPLIES TO:**

18 **(I) INSURERS AND NONPROFIT HEALTH SERVICE PLANS**
19 **THAT PROVIDE COVERAGE FOR PRESCRIPTION DRUGS AND DEVICES UNDER**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **HEALTH INSURANCE POLICIES OR CONTRACTS THAT ARE ISSUED OR DELIVERED**
2 **IN THE STATE; AND**

3 **(II) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE**
4 **COVERAGE FOR PRESCRIPTION DRUGS AND DEVICES UNDER CONTRACTS THAT**
5 **ARE ISSUED OR DELIVERED IN THE STATE.**

6 **(2) AN INSURER, NONPROFIT HEALTH SERVICE PLAN, OR HEALTH**
7 **MAINTENANCE ORGANIZATION THAT PROVIDES COVERAGE FOR PRESCRIPTION**
8 **DRUGS AND DEVICES THROUGH A PHARMACY BENEFIT MANAGER IS SUBJECT TO**
9 **THE REQUIREMENTS OF THIS SECTION.**

10 **(B) AN ENTITY SUBJECT TO THIS SECTION MAY NOT IMPOSE A**
11 **COPAYMENT OR COINSURANCE REQUIREMENT FOR A COVERED PRESCRIPTION**
12 **DRUG OR DEVICE THAT EXCEEDS THE RETAIL PRICE OF THE PRESCRIPTION**
13 **DRUG OR DEVICE.**

14 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
15 **October 1, 2007.**