

SENATE BILL 729

J1

71r2787
CF 71r2396

By: **Senator Kelley**

Introduced and read first time: February 8, 2007

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Atypical Antipsychotic Medication**

3 FOR the purpose of providing that certain Maryland Medical Assistance Program
4 enrollees who are prescribed certain medications shall be automatically
5 dispensed a certain supply of medication and may not be subject to a certain
6 waiting period; repealing a certain termination provision; repealing an
7 exemption from prior authorization for certain medications; making certain
8 technical corrections; and generally relating to the Maryland Medical
9 Assistance Program and atypical antipsychotic medication.

10 BY repealing and reenacting, without amendments,
11 Article – Health – General
12 Section 15–101(a), (h), and (i)
13 Annotated Code of Maryland
14 (2005 Replacement Volume and 2006 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Health – General
17 Section 15–119
18 Annotated Code of Maryland
19 (2005 Replacement Volume and 2006 Supplement)

20 BY repealing
21 Chapter 444 of the Acts of the General Assembly of 2005
22 Section 41

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Health – General**

4 15–101.

5 (a) In this title the following words have the meanings indicated.

6 (h) “Program” means the Maryland Medical Assistance Program.

7 (i) “Program recipient” means an individual who receives benefits under the
8 Program.

9 15–119.

10 (a) (1) This section does not apply to drugs covered by managed care
11 organizations under § 15–103 of this subtitle.

12 (2) This section applies to the [Maryland Pharmacy Assistance
13 Program developed under § 15–124 of this subtitle, the Maryland Pharmacy Discount
14 Program developed under § 15–124.1 of this subtitle,] **PRIMARY ADULT CARE
15 PROGRAM** and any other pharmacy assistance program developed by the
16 Department.

17 (b) [Atypical antipsychotic medications shall be exempt from prior
18 authorization requirements under the Program] **PROGRAM RECIPIENTS WHO ARE
19 PRESCRIBED ATYPICAL ANTIPSYCHOTIC MEDICATIONS THAT ARE SUBJECT TO
20 PRIOR AUTHORIZATION UNDER THE PROGRAM:**

21 **(1) SHALL BE AUTOMATICALLY DISPENSED AN INITIAL 30–DAY
22 SUPPLY OF MEDICATION; AND**

23 **(2) MAY NOT BE SUBJECT TO A WAITING PERIOD TO DETERMINE
24 WHETHER PRIOR AUTHORIZATION WAS GIVEN.**

25 **Chapter 444 of the Acts of 2005**

26 [SECTION 41. AND BE IT FURTHER ENACTED, That Section 4 of this Act
27 shall remain effective for a period of 2 years and, at the end of June 30, 2007, with no

1 further action required by the General Assembly, Section 4 of this Act shall be
2 abrogated and of no further force and effect.]

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