

CHAPTER 636

(House Bill 1004)

AN ACT concerning

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

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

BY ~~renumbering~~ repealing and reenacting, without amendments,

Article – Health – General

Section 15–124.2

~~to be Section 13–2501~~

Annotated Code of Maryland

(2005 Replacement Volume and 2006 Supplement)

~~BY repealing and reenacting, with amendments,~~

~~Article – Health – General~~

~~Section 13–2501 to be under the new subtitle “Subtitle 25. Maryland Medbank Program”~~

~~Annotated Code of Maryland~~

~~(2005 Replacement Volume and 2006 Supplement)~~

~~(As enacted by Section 1 of this Act)~~

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

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

Article – Health – General

~~SUBTITLE 25. MARYLAND MEDBANK PROGRAM.~~

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

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

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

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

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

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

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

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

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

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

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

(i) Western Maryland;

(ii) The Eastern Shore;

(iii) The Baltimore metropolitan area;

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

(v) Southern Maryland, including Anne Arundel County.

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, May 17, 2007.