

HOUSE BILL 888

C3

1lr1555
CF SB 701

By: **Delegates Kach, Bromwell, Cullison, Elliott, A. Kelly, Kipke, A. Miller, Olszewski, S. Robinson, and Stocksdale**

Introduced and read first time: February 11, 2011

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Prescription Eye Drops – Refills**

3 FOR the purpose of requiring certain insurers, nonprofit health service plans, and
4 health maintenance organizations to provide coverage for a refill of prescription
5 eye drops under certain circumstances; making the provisions of this Act
6 applicable to health maintenance organizations; providing for the application of
7 this Act; and generally relating to health insurance coverage of prescription eye
8 drops.

9 BY adding to

10 Article – Health – General
11 Section 19–706(kkkk)
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2010 Supplement)

14 BY adding to

15 Article – Insurance
16 Section 15–845
17 Annotated Code of Maryland
18 (2006 Replacement Volume and 2010 Supplement)

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

21 **Article – Health – General**

22 19–706.

23 **(KKKK) THE PROVISIONS OF § 15–845 OF THE INSURANCE ARTICLE**
24 **APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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Article – Insurance2 **15–845.**3 **(A) THIS SECTION APPLIES TO:**4 **(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT**
5 **PROVIDE COVERAGE FOR PRESCRIPTION EYE DROPS UNDER HEALTH**
6 **INSURANCE POLICIES OR CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE**
7 **STATE; AND**8 **(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE**
9 **COVERAGE FOR PRESCRIPTION EYE DROPS UNDER CONTRACTS THAT ARE**
10 **ISSUED OR DELIVERED IN THE STATE.**11 **(B) AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE**
12 **FOR A REFILL OF PRESCRIPTION EYE DROPS WHEN:**13 **(1) THE REFILL IS REQUESTED BY AN INSURED LESS THAN 30**
14 **DAYS AFTER THE LATER OF:**15 **(I) THE DATE THE ORIGINAL PRESCRIPTION WAS**
16 **DISPENSED TO THE INSURED; OR**17 **(II) THE DATE THE LAST REFILL OF THE PRESCRIPTION WAS**
18 **DISPENSED TO THE INSURED;**19 **(2) THE PRESCRIBING HEALTH CARE PRACTITIONER INDICATES**
20 **ON THE ORIGINAL PRESCRIPTION THAT ADDITIONAL QUANTITIES OF THE**
21 **PRESCRIPTION EYE DROPS ARE NEEDED;**22 **(3) THE REFILL REQUESTED BY THE INSURED DOES NOT EXCEED**
23 **THE NUMBER OF ADDITIONAL QUANTITIES INDICATED ON THE ORIGINAL**
24 **PRESCRIPTION BY THE PRESCRIBING HEALTH CARE PRACTITIONER; AND**25 **(4) THE PRESCRIPTION EYE DROPS PRESCRIBED BY THE HEALTH**
26 **CARE PRACTITIONER ARE A COVERED BENEFIT UNDER THE POLICY OR**
27 **CONTRACT OF THE INSURED.**28 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to**
29 **all policies, contracts, and health benefit plans issued, delivered, or renewed in the**
30 **State on or after October 1, 2011.**

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2011.