

SENATE BILL 701

C3

11r1768
CF 11r1555

By: **Senator Klausmeier**

Introduced and read first time: February 4, 2011

Assigned to: Finance

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 – Insurance

2 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.