

HOUSE BILL 1283

C3

8lr3075

By: Delegates Kelly, Ali, Anderson, Angel, Atterbeary, Barkley, B. Barnes, D. Barnes, Barron, Barve, Branch, Brooks, Carr, Clippinger, Davis, Dumais, Ebersole, Fennell, Flanagan, Fraser-Hidalgo, Frick, Frush, Gaines, Gibson, Gilchrist, Glenn, Gutierrez, Hayes, Haynes, Hettleman, Hixson, Holmes, C. Howard, Jalisi, Jones, Kaiser, Knotts, Korman, Kramer, Lam, J. Lewis, R. Lewis, Lierman, Lisanti, Luedtke, McCray, McIntosh, A. Miller, Moon, Morales, Morhaim, Mosby, Patterson, Pena-Melnyk, Platt, Proctor, Queen, Reznik, Robinson, Rosenberg, Sample-Hughes, Sanchez, Stein, Sydnor, Tarlau, Turner, Valderrama, Waldstreicher, A. Washington, M. Washington, Wilkins, K. Young, ~~and P. Young~~ P. Young, Pendergrass, Cullison, Hill, Kipke, and Miele

Introduced and read first time: February 9, 2018

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

CHAPTER _____

1 AN ACT concerning

2 **Health Insurance – Prescription Contraceptives – Coverage for Single**
3 **Dispensing**

4 FOR the purpose of altering the length of the period for which a certain insurer, nonprofit
5 health service plan, and health maintenance organization is required to provide
6 coverage for a single dispensing of a supply of prescription contraceptives; repealing
7 a certain provision of law authorizing a certain insurer, nonprofit health service
8 plan, and health maintenance organization to provide coverage for a supply of
9 prescription contraceptives that is for less than a certain period; providing that a
10 certain provision of this Act may not be construed to require a provider to prescribe,
11 furnish, or dispense contraceptives for a certain number of months at a certain time;
12 making conforming changes; providing for the application of this Act; providing for
13 a delayed effective date; and generally relating to health insurance coverage for
14 prescription contraceptives.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,

2 Article – Insurance

3 Section 15–826.1(a) and (b)

4 Annotated Code of Maryland

5 (2017 Replacement Volume)

6 BY repealing and reenacting, with amendments,

7 Article – Insurance

8 Section 15–826.1(d)

9 Annotated Code of Maryland

10 (2017 Replacement Volume)

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

13 **Article – Insurance**

14 15–826.1.

15 (a) In this section, “authorized prescriber” has the meaning stated in § 12–101 of
16 the Health Occupations Article.

17 (b) This section applies to:

18 (1) insurers and nonprofit health service plans that provide coverage for
19 contraceptive drugs and devices under individual, group, or blanket health insurance
20 policies or contracts that are issued or delivered in the State; and

21 (2) health maintenance organizations that provide coverage for
22 contraceptive drugs and devices under individual or group contracts that are issued or
23 delivered in the State.

24 (d) (1) [Except as provided in paragraphs (2) and (3) of this subsection, an] **AN**
25 entity subject to this section shall provide coverage for a single dispensing to an insured or
26 an enrollee of a supply of prescription contraceptives for **UP TO** a [6–month] **12–MONTH**
27 period.

28 [(2) Subject to § 15–824 of this subtitle, an entity subject to this section may
29 provide coverage for a supply of prescription contraceptives that is for less than a 6–month
30 period, if a 6–month supply would extend beyond the plan year.

31 (3) Paragraph (1) of this subsection does not apply to the first 2–month
32 supply of prescription contraceptives dispensed to an insured or an enrollee under:

33 (i) the initial prescription for the contraceptives; or

1 (ii) any subsequent prescription for a contraceptive that is different
2 than the last contraceptive dispensed to the insured or the enrollee.]

3 [(4)] (2) Whenever an entity subject to this section increases the
4 copayment for a single dispensing of a supply of prescription contraceptives for UP TO a
5 [6-month] 12-MONTH period, the entity shall also increase proportionately the dispensing
6 fee paid to the pharmacist.

7 (3) THIS SUBSECTION MAY NOT BE CONSTRUED TO REQUIRE A
8 PROVIDER TO PRESCRIBE, FURNISH, OR DISPENSE 12 MONTHS OF CONTRACEPTIVES
9 AT ONE TIME.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
11 policies, contracts, and health benefit plans subject to this Act that are issued, delivered,
12 or renewed in the State on or after January 1, ~~2019~~ 2020.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 January 1, ~~2019~~ 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.