

HOUSE BILL 544

C3

9lr0959
CF 9lr3081

By: **Delegates Kipke, Sample–Hughes, Anderton, Arentz, Barron, Bromwell, Carey, Ghrist, Howard, Jacobs, Jalisi, Kelly, Krebs, Mautz, McComas, Metzgar, Morgan, Otto, Pena–Melnik, Reznik, Saab, Szeliga, and K. Young**
Introduced and read first time: February 4, 2019
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Pharmacy Benefits – Processing and Adjudication of Claims – Restrictions on**
3 **Fees**

4 FOR the purpose of prohibiting pharmacy benefits managers and certain purchasers from
5 directly or indirectly charging a contracted pharmacy, or holding a contracted
6 pharmacy responsible for, fees related to the adjudication of certain claims; defining
7 a certain term; and generally relating to pharmacy benefits, fees, and the processing
8 and adjudication of claims.

9 BY adding to
10 Article – Insurance
11 Section 15–1628.2
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2018 Supplement)

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

16 **Article – Insurance**

17 **15–1628.2.**

18 (A) IN THIS SECTION, “CONTRACTED PHARMACY” HAS THE MEANING
19 STATED IN § 15–1628.1 OF THIS SUBTITLE.

20 (B) A PHARMACY BENEFITS MANAGER OR A PURCHASER MAY NOT
21 DIRECTLY OR INDIRECTLY CHARGE A CONTRACTED PHARMACY, OR HOLD A
22 CONTRACTED PHARMACY RESPONSIBLE FOR, A FEE RELATED TO THE

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 ADJUDICATION OF A CLAIM THAT IS NOT:

2 (1) SPECIFICALLY ENUMERATED BY THE PHARMACY BENEFITS
3 MANAGER OR PURCHASER AT THE TIME OF CLAIM PROCESSING; OR

4 (2) REPORTED ON THE INITIAL REMITTANCE ADVICE OF AN
5 ADJUDICATED CLAIM.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
7 1, 2019.