

Department of Legislative Services  
Maryland General Assembly  
2020 Session

FISCAL AND POLICY NOTE  
Enrolled - Revised

Senate Bill 99

(Chair, Finance Committee)(By Request - Departmental -  
Maryland Insurance Administration)

Finance

Health and Government Operations

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Health Insurance Benefit Cards, Prescription Benefit Cards, and Other  
Technology - Identification of Regulatory Agency

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This departmental bill requires insurers, nonprofit health service plans, and health maintenance organizations (collectively known as carriers), as well as Medicaid managed care organizations (MCOs) and pharmacy benefits managers (PBMs) that contract with MCOs, to print on a health insurance benefit card or prescription benefit card the acronym used for the State agency that regulates the policy or contract. A carrier, MCO, or PBM is not precluded from including any other information on a card. The bill also makes a technical correction. **The bill takes effect January 1, 2021, and applies to all policies or contracts issued, delivered, or renewed in the State on or after that date.**

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Fiscal Summary

**State Effect:** None.

**Local Effect:** None.

**Small Business Effect:** The Maryland Insurance Administration (MIA) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

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Analysis

**Current Law:** Carriers and MCOs that provide prescription drug coverage must provide insureds, subscribers, or enrollees with a health insurance benefit card, prescription benefit

card, or other technology. Such a card must comply with specified standards or include certain data elements: (1) the name or identifying trademark of the carrier or MCO (or that of the benefit administrator); (2) the name and identification number of the insured, subscriber, or enrollee; (3) the telephone number that providers may call for pharmacy benefit assistance; and (4) all electronic transaction routing information and other numbers required to process a prescription claim electronically. If a change occurs in any of the data elements required to be included, a carrier or MCO must reissue a card or provide corrective information. If a carrier or MCO contracts with a PBM, the PBM must comply with these requirements.

**Background:** MIA advises that the bill is intended to provide greater transparency regarding which entity – either MIA or the Maryland Department of Health (with the acronym of MDH) – regulates a particular policy or contract. Colorado, Missouri, and Texas require similar information to be printed on insurance cards.

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### **Additional Information**

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Department of Budget and Management; Maryland Department of Health; Maryland Health Benefit Exchange; Maryland Insurance Administration; Department of Legislative Services

**Fiscal Note History:** First Reader - January 10, 2020  
rh/ljm Third Reader - March 15, 2020  
Revised - Amendment(s) - March 15, 2020  
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Analysis by: Jennifer B. Chasse

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510

## ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Insurance – Health Insurance and Prescription Benefit Cards – Identification Requirements

BILL NUMBER: SB 99

PREPARED BY:  
(Dept./Agency) Maryland Insurance Administration

### PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

  X   WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESS

OR

       WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND  
SMALL BUSINESSES

### PART B. ECONOMIC IMPACT ANALYSIS

It is not expected that there will be any fiscal impact on small business.