

# HOUSE BILL 709

C3, J1

1r1732  
CF 1r2463

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By: **Delegate Krebs**

Introduced and read first time: January 26, 2021

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Pharmacy Benefits Managers – Drug Reimbursement – Reporting Requirements**

3 FOR the purpose of requiring pharmacy benefits managers to file with the Maryland  
4 Insurance Commissioner, beginning on a certain date and at certain intervals  
5 thereafter, a certain report of all drugs appearing on a certain cost list that were  
6 reimbursed during a certain time period at an amount below a certain cost plus a  
7 certain fee; requiring that the report be made available to the public by the  
8 Commissioner; providing that certain provisions of this Act apply to pharmacy  
9 benefits managers that contract with managed care organizations in the same  
10 manner as they apply to pharmacy benefits managers that contract with carriers;  
11 providing for the construction of certain provisions of this Act; and generally relating  
12 to drug reimbursement reporting requirements for pharmacy benefits managers.

13 BY adding to

14 Article – Health – General  
15 Section 15–102.3(j)  
16 Annotated Code of Maryland  
17 (2019 Replacement Volume and 2020 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Insurance  
20 Section 15–1612  
21 Annotated Code of Maryland  
22 (2017 Replacement Volume and 2020 Supplement)

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

25 **Article – Health – General**

26 15–102.3.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.





1                                   **3. THE AMOUNT THE PHARMACY WAS REIMBURSED PER**  
2 **UNIT OR DOSAGE;**

3                                   **4. WHETHER THE DISPENSING PHARMACY WAS AN**  
4 **AFFILIATE OF THE PHARMACY BENEFITS MANAGER;**

5                                   **5. WHETHER THE DRUG WAS REIMBURSED IN**  
6 **ACCORDANCE WITH A STATE OR LOCAL GOVERNMENT HEALTH PLAN; AND**

7                                   **6. THE NATIONAL AVERAGE DRUG ACQUISITION COST**  
8 **ON THE DAY THE DRUG WAS DISPENSED; AND**

9                                   **(II) BE MADE AVAILABLE TO THE PUBLIC BY THE**  
10 **COMMISSIONER.**

11                                   **(3) THIS SUBSECTION MAY NOT BE CONSTRUED TO PREEMPT OR**  
12 **CONFLICT WITH ANY FEDERAL LAW OR REGULATION.**

13                                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2021.