

Chapter 82

(Senate Bill 323)

AN ACT concerning

~~Maryland Medical Assistance Program – Prior Authorization for Drug Products~~
Public Health – Medications to Treat an Opioid Use Disorder – ~~Prohibition~~
Preferred and Nonpreferred Medications

FOR the purpose of ~~prohibiting the Maryland Medical Assistance Program from applying a prior authorization requirement for certain drug products when used to treat an opioid use disorder; and generally relating to the Maryland Medical Assistance Program and the coverage of drug products~~ requiring the Maryland Department of Health to adopt a certain reporting system, analyze patterns of prescribing medications in the State, conduct outreach, and identify certain barriers related to prescribing medications to treat an opioid use disorder; and generally relating to medications to treat an opioid use disorder.

BY adding to

Article – Health – General

Section ~~15-150~~ 8-1102 to be under the amended subtitle “Subtitle 11. Opioid Addiction Treatment Prescribers”

Annotated Code of Maryland

(2019 Replacement Volume and 2021 Supplement)

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

Article – Health – General

~~15-150.~~

~~THE PROGRAM MAY NOT APPLY A PRIOR AUTHORIZATION REQUIREMENT FOR A PRESCRIPTION DRUG:~~

~~(1) WHEN USED FOR TREATMENT OF AN OPIOID USE DISORDER; AND~~

~~(2) THAT CONTAINS METHADONE, BUPRENORPHINE, OR NALTREXONE.~~

Subtitle 11. [Availability of] Opioid Addiction Treatment Prescribers.

8-1102.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “NONPREFERRED MEDICATION” MEANS A MEDICATION PRESCRIBED TO TREAT AN OPIOID USE DISORDER THAT CONTAINS METHADONE, BUPRENORPHINE, OR NALTREXONE AND IS NOT ON THE STATE’S PREFERRED DRUG LIST.

(3) “PREFERRED MEDICATION” MEANS A MEDICATION PRESCRIBED TO TREAT AN OPIOID USE DISORDER THAT CONTAINS METHADONE, BUPRENORPHINE, OR NALTREXONE AND IS ON THE STATE’S PREFERRED DRUG LIST.

(B) THE DEPARTMENT SHALL:

(1) ADOPT A REPORTING SYSTEM TO MONITOR THE PRESCRIBING OF MEDICATIONS TO TREAT OPIOID USE DISORDERS IN THE STATE, INCLUDING WHICH MEDICATIONS ARE BEING PRESCRIBED;

(2) ANALYZE PATTERNS OF PRESCRIBING MEDICATIONS IN THE STATE TO IDENTIFY PRESCRIBERS WHO REGULARLY PRESCRIBE NONPREFERRED MEDICATIONS, INCLUDING A COMPARISON OF THE PATTERNS TO THE FINDINGS OF THE REPORT SUBMITTED UNDER SUBSECTION (D) OF THIS SECTION;

(3) CONDUCT OUTREACH TO INDIVIDUALS AUTHORIZED TO PRESCRIBE DRUGS AND DEVICES IN THE STATE USING EDUCATIONAL MATERIALS REGARDING THE BENEFITS OF PRESCRIBING PREFERRED MEDICATIONS; AND

(4) IDENTIFY BARRIERS TO INDIVIDUALS WHO NEED MEDICATION TO TREAT AN OPIOID USE DISORDER TO OBTAINING THE MEDICATION IN A TIMELY MANNER.

(C) ON OR BEFORE OCTOBER 1 EACH YEAR, BEGINNING IN 2023, THE DEPARTMENT SHALL REPORT ON ITS FINDINGS AND ACTIONS TAKEN UNDER SUBSECTION (B) OF THIS SECTION TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(D) ON OR BEFORE OCTOBER 1, 2022, THE DEPARTMENT SHALL SUBMIT A REPORT WITH AN INITIAL ANALYSIS OF THE ITEMS LISTED UNDER SUBSECTION (B) OF THIS SECTION, TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2022.

Approved by the Governor, April 12, 2022.