

SENATE BILL 441

J1

3lr1877
CF 3lr2466

By: Senator Lam

Introduced and read first time: February 2, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Prescription Digital Therapeutics**

3 FOR the purpose of requiring the Maryland Medical Assistance Program to provide
4 coverage for prescription digital therapeutics for Program recipients; and generally
5 relating to prescription digital therapeutics and the Maryland Medical Assistance
6 Program.

7 BY repealing and reenacting, without amendments,

8 Article – Health – General

9 Section 15–101(a) and 15–103(a)(1)

10 Annotated Code of Maryland

11 (2019 Replacement Volume and 2022 Supplement)

12 BY adding to

13 Article – Health – General

14 Section 15–101(f–1) and 15–103(a)(2)(xxii)

15 Annotated Code of Maryland

16 (2019 Replacement Volume and 2022 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Health – General

19 Section 15–103(a)(2)(xx) and (xxi)

20 Annotated Code of Maryland

21 (2019 Replacement Volume and 2022 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

23 That the Laws of Maryland read as follows:

24 **Article – Health – General**

25 15–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) In this title the following words have the meanings indicated.

**(F-1) "PRESCRIPTION DIGITAL THERAPEUTIC" MEANS A PRODUCT, A DEVICE, A
INTERNET APPLICATION, OR ANY OTHER TECHNOLOGY THAT:**

**(1) IS APPROVED, CLEARED, OR CLASSIFIED BY THE FEDERAL FOOD
ADMINISTRATION UNDER §§ 510(K), 513(F), OR 515 OF THE FEDERAL
DRUG, AND COSMETIC ACT;**

(2) HAS AN APPROVED OR CLEARED INDICATION FOR THE
MANAGEMENT, OR TREATMENT OF A MEDICAL DISEASE, CONDITION,
OR;

(3) PRIMARILY USES SOFTWARE TO ACHIEVE ITS INTENDED RESULT;

(4) CAN BE DISPENSED ONLY IN ACCORDANCE WITH A
TION.

14 15-103.

15 (a) (1) The Secretary shall administer the Maryland Medical Assistance
16 Program.

(2) The Program:

18 (xx) Beginning on July 1, 2023, shall provide, subject to federal
19 approval and limitations of the State budget, community violence prevention services in
20 accordance with 15–141.3 of this subtitle; [and]

21 (xi) Beginning on January 1, 2023, shall provide, subject to the
22 limitations of the State budget, and as permitted by federal law, coverage for self-measured
23 blood pressure monitoring for all Program recipients diagnosed with uncontrolled high
24 blood pressure, including:

1. The provision of validated home blood pressure monitors;

1 (XXII) SHALL PROVIDE, SUBJECT TO THE LIMITATIONS OF THE
2 STATE BUDGET, COVERAGE FOR PRESCRIPTION DIGITAL THERAPEUTICS FOR
3 PROGRAM RECIPIENTS.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2023.