

HB1246/663229/1

BY: Health and Government Operations Committee

AMENDMENTS TO HOUSE BILL 1246
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “**Delegate S. Johnson**” and substitute “**Delegates S. Johnson, Alston, Bagnall, Bhandari, Cullison, Guzzone, Hill, Kaiser, Kerr, Kipke, Lopez, Martinez, Pena–Melnik, Rosenberg, Ross, Taveras, White Holland, Woods, and Woorman**”; in line 8, after “requiring” insert “certain”; and in line 10, after “information” insert “and to provide the discount, financial assistance payment, product voucher, or other out–of–pocket expense for a certain period of time; prohibiting certain insurers, nonprofit health service plans, and health maintenance organizations from setting, altering, implementing, or conditioning the terms of certain coverage based on the availability or amount of financial or product assistance available for a prescription drug”.

AMENDMENT NO. 2

On page 2, in line 34, strike “**A**” and substitute “**EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A**”.

On page 3, in line 3, after “**SHALL**” insert “**:**”

(I) WITHIN 7 DAYS AFTER THE ACCEPTANCE OF THE DISCOUNT, FINANCIAL ASSISTANCE PAYMENT, PRODUCT VOUCHER, OR OTHER OUT–OF–POCKET EXPENSE,”;

in lines 5 and 8, strike “**(I)**” and “**(II)**”, respectively, and substitute “**1.**” and “**2.**”, respectively; and in line 9, after “**EXPENSE**” insert “**;****AND**”

(II) PROVIDE THE DISCOUNT, FINANCIAL ASSISTANCE PAYMENT, PRODUCT VOUCHER, OR OTHER OUT-OF-POCKET EXPENSE FOR THE DURATION OF THE PLAN YEAR".

AMENDMENT NO. 3

On page 3, after line 11, insert:

“(3) THIS SUBSECTION DOES NOT APPLY TO A CHARITABLE ORGANIZATION THAT PROVIDES A DISCOUNT, FINANCIAL ASSISTANCE PAYMENT, PRODUCT VOUCHER, OR OTHER OUT-OF-POCKET EXPENSE TO AN INSURED OR ENROLLEE.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN ENTITY SUBJECT TO THIS SECTION MAY NOT DIRECTLY OR INDIRECTLY SET, ALTER, IMPLEMENT, OR CONDITION THE TERMS OF HEALTH BENEFIT PLAN COVERAGE, INCLUDING THE BENEFIT DESIGN, BASED IN WHOLE OR IN PART ON INFORMATION ABOUT THE AVAILABILITY OR AMOUNT OF FINANCIAL OR PRODUCT ASSISTANCE AVAILABLE FOR A PRESCRIPTION DRUG.

(2) PARAGRAPH (1) OF THIS SUBSECTION MAY NOT BE CONSTRUED TO PROHIBIT AN ENTITY SUBJECT TO THIS SECTION FROM USING REBATES IN THE DESIGN OF PRESCRIPTION DRUG COVERAGE OR BENEFITS.”.