

# HOUSE BILL 808

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6lr3117  
CF SB 490

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By: Delegate S. Johnson

Introduced and read first time: February 4, 2026

Assigned to: Health

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## A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Medical Assistance Program – Step Therapy, Fail–First Protocols, and**  
3 **Prior Authorization – Prescription Drugs to Treat Serious Mental Illness**

4 FOR the purpose of prohibiting the Maryland Medical Assistance Program from applying  
5 a prior authorization requirement in certain circumstances to and from applying a  
6 step therapy or fail–first protocol for a prescription drug used to treat an adult  
7 enrollee’s diagnosis of bipolar disorder, schizophrenia, major depression,  
8 post–traumatic stress disorder, or a medication–induced movement disorder  
9 associated with the treatment of serious mental illness; and generally relating to the  
10 Maryland Medical Assistance Program and coverage of drugs to treat serious mental  
11 illness.

12 BY adding to

13 Article – Health – General

14 Section 15–160

15 Annotated Code of Maryland

16 (2023 Replacement Volume and 2025 Supplement)

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

19 **Article – Health – General**

20 **15–160.**

21 **(A) IN THIS SECTION, “STEP THERAPY OR FAIL–FIRST PROTOCOL” HAS THE**  
22 **MEANING STATED IN § 15–142 OF THE INSURANCE ARTICLE.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(B) EXCEPT AS REQUIRED UNDER 42 U.S.C. § 1396A, BEGINNING JULY 1,**  
2                   **2026, THE PROGRAM MAY NOT APPLY A PRIOR AUTHORIZATION REQUIREMENT FOR**  
3                   **A PRESCRIPTION DRUG USED TO TREAT AN ADULT ENROLLEE'S DIAGNOSIS OF:**

4                   **(1) BIPOLAR DISORDER;**

5                   **(2) SCHIZOPHRENIA;**

6                   **(3) MAJOR DEPRESSION;**

7                   **(4) POST-TRAUMATIC STRESS DISORDER; OR**

8                   **(5) A MEDICATION-INDUCED MOVEMENT DISORDER ASSOCIATED**  
9                   **WITH THE TREATMENT OF A SERIOUS MENTAL ILLNESS.**

10                  **(C) BEGINNING JULY 1, 2026, THE PROGRAM MAY NOT APPLY A STEP**  
11                  **THERAPY OR FAIL-FIRST PROTOCOL FOR A PRESCRIPTION DRUG USED TO TREAT AN**  
12                  **ENROLLEE'S DIAGNOSIS OF:**

13                  **(1) BIPOLAR DISORDER;**

14                  **(2) SCHIZOPHRENIA;**

15                  **(3) MAJOR DEPRESSION;**

16                  **(4) POST-TRAUMATIC STRESS DISORDER; OR**

17                  **(5) A MEDICATION-INDUCED MOVEMENT DISORDER ASSOCIATED**  
18                  **WITH THE TREATMENT OF A SERIOUS MENTAL ILLNESS.**

19                  SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
20                  1, 2026. It shall remain effective for a period of 3 years and, at the end of June 30, 2029,  
21                  this Act, with no further action required by the General Assembly, shall be abrogated and  
22                  of no further force and effect.