

# HOUSE BILL 1051

J1, J2, J5

6lr1108

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By: **Delegate Rosenberg**

Introduced and read first time: February 9, 2026

Assigned to: Health

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Patient Access to Medication**

3 FOR the purpose of establishing the Meds-to-Beds Program in the Maryland Department  
4 of Health and requiring each hospital in the State to participate in the Program;  
5 authorizing certain health care facilities to use automated drug dispensing systems  
6 and remote dispensing systems subject to certain requirements; authorizing a  
7 pharmacy to outsource prescription processing to another pharmacy under certain  
8 circumstances; altering the definition of “telehealth” as it applies to certain  
9 insurance coverage to include the use of automated drug dispensing systems and  
10 remote dispensing systems; and generally relating to patient access to medication.

11 BY adding to

12 Article – Health – General

13 Section 13–5901 and 13–5902 to be under the new subtitle “Subtitle 59.  
14 Meds-to-Beds Program”; and 19–2701 and 19–2702 to be under the new  
15 subtitle “Subtitle 27. Prescription Drug Dispensing Systems”

16 Annotated Code of Maryland

17 (2023 Replacement Volume and 2025 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article – Health – General

20 Section 15–141.2

21 Annotated Code of Maryland

22 (2023 Replacement Volume and 2025 Supplement)

23 BY adding to

24 Article – Health Occupations

25 Section 12–515

26 Annotated Code of Maryland

27 (2021 Replacement Volume and 2025 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,  
2 Article – Insurance  
3 Section 15–139  
4 Annotated Code of Maryland  
5 (2017 Replacement Volume and 2025 Supplement)

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

8 **Article – Health – General**

9 **SUBTITLE 59. MEDS–TO–BEDS PROGRAM.**

10 **13–5901.**

11 **IN THIS SUBTITLE, “PROGRAM” MEANS THE MEDS–TO–BEDS PROGRAM.**

12 **13–5902.**

13 **(A) (1) THERE IS A MEDS–TO–BEDS PROGRAM IN THE DEPARTMENT.**

14 **(2) THE PURPOSE OF THE PROGRAM IS TO REDUCE HOSPITAL**  
15 **READMISSIONS BY USING A LICENSED PHARMACIST TO DELIVER DISCHARGE**  
16 **MEDICATIONS TO PATIENTS BEFORE THE PATIENT LEAVES THE HOSPITAL.**

17 **(B) EACH HOSPITAL IN THE STATE SHALL PARTICIPATE IN THE PROGRAM.**

18 **(C) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE**  
19 **PROGRAM.**

20 15–141.2.

21 (a) (1) In this section the following words have the meanings indicated.

22 (2) “Distant site” means a site at which the distant site health care provider  
23 is located at the time the health care service is provided through telehealth.

24 (3) “Distant site provider” means the health care provider who provides  
25 medically necessary services to a patient at an originating site from a different physical  
26 location than the location of the patient.

27 (4) “Health care provider” means:

1 (i) A person who is licensed, certified, or otherwise authorized under  
2 the Health Occupations Article to provide health care in the ordinary course of business or  
3 practice of a profession or in an approved education or training program;

4 (ii) A mental health and substance use disorder program licensed in  
5 accordance with § 7.5–401 of this article;

6 (iii) A person licensed under Title 7, Subtitle 9 of this article to  
7 provide services to an individual with developmental disability or a recipient of individual  
8 support services; or

9 (iv) A provider as defined under § 16–201.4 of this article to provide  
10 services to an individual receiving long–term care services.

11 (5) “Originating site” means the location of the Program recipient at the  
12 time the health care service is provided through telehealth.

13 (6) “Remote patient monitoring services” means the use of synchronous or  
14 asynchronous digital technologies that collect or monitor medical, patient–reported, and  
15 other forms of health care data for Program recipients at an originating site and  
16 electronically transmit that data to a distant site provider to enable the distant site  
17 provider to assess, diagnose, consult, treat, educate, provide care management, suggest  
18 self–management, or make recommendations regarding the Program recipient’s health  
19 care.

20 (7) (i) “Telehealth” means the delivery of medically necessary somatic,  
21 dental, or behavioral health services to a patient at an originating site by a distant site  
22 provider through the use of technology–assisted communication.

23 (ii) “Telehealth” includes:

24 1. Synchronous and asynchronous interactions;

25 2. An audio–only telephone conversation between a health  
26 care provider and a patient that results in the delivery of a billable, covered health care  
27 service; [and]

28 3. Remote patient monitoring services; **AND**

29 **4. AUTOMATED DRUG DISPENSING SYSTEMS AND**  
30 **REMOTE DISPENSING SYSTEMS AS THOSE TERMS ARE DEFINED IN § 19–2701 OF THIS**  
31 **ARTICLE.**

32 (iii) “Telehealth” does not include the provision of health care  
33 services solely through:

1                   1.     Except as provided in subparagraph (ii)2 of this  
2 paragraph, an audio-only telephone conversation;

3                   2.     An e-mail message; or

4                   3.     A facsimile transmission.

5           (b)     The Program shall:

6                   (1)     Provide health care services appropriately delivered through telehealth  
7 to Program recipients regardless of the location of the Program recipient at the time  
8 telehealth services are provided; and

9                   (2)     Allow a distant site provider to provide health care services to a  
10 Program recipient from any location at which the health care services may be appropriately  
11 delivered through telehealth.

12           (c)     The services required to be provided under subsection (b) of this section shall  
13 include counseling and treatment for substance use disorders and mental health conditions.

14           (d)     The Program may not:

15                   (1)     Exclude from coverage a health care service solely because it is provided  
16 through telehealth and is not provided through an in-person consultation or contact  
17 between a health care provider and a patient; or

18                   (2)     Exclude from coverage a behavioral health care service provided to a  
19 Program recipient in person solely because the service may also be provided through  
20 telehealth.

21           (e)     The Program may undertake utilization review, including preauthorization,  
22 to determine the appropriateness of any health care service whether the service is delivered  
23 through an in-person consultation or through telehealth if the appropriateness of the  
24 health care service is determined in the same manner.

25           (f)     The Program may not distinguish between Program recipients in rural or  
26 urban locations in providing coverage under the Program for health care services delivered  
27 through telehealth.

28           (g)     (1)     Subject to paragraph (3) of this subsection, the Program shall  
29 reimburse a health care provider for the diagnosis, consultation, and treatment of a  
30 Program recipient for a health care service covered by the Program that can be  
31 appropriately provided through telehealth.

32                   (2)     This subsection does not require the Program to reimburse a health  
33 care provider for a health care service delivered in person or through telehealth that is:

1 (i) Not a covered health care service under the Program; or

2 (ii) Delivered by an out-of-network provider unless the health care  
3 service is a self-referred service authorized under the Program.

4 (3) (i) When appropriately provided through telehealth, the Program  
5 shall provide reimbursement in accordance with paragraph (1) of this subsection on the  
6 same basis and the same rate as if the health care service were delivered by the health care  
7 provider in person.

8 (ii) The reimbursement required under subparagraph (i) of this  
9 paragraph does not include:

10 1. Clinic facility fees unless the health care service is  
11 provided by a health care provider not authorized to bill a professional fee separately for  
12 the health care service; or

13 2. Any room and board fees.

14 (h) (1) The Department may specify in regulation the types of health care  
15 providers eligible to receive reimbursement for health care services provided to Program  
16 recipients under this section.

17 (2) If the Department specifies by regulation the types of health care  
18 providers eligible to receive reimbursement for health care services provided to Program  
19 recipients under this subsection, the regulations shall include all types of health care  
20 providers that appropriately provide telehealth services.

21 (3) For the purpose of reimbursement and any fidelity standards  
22 established by the Department, a health care service provided through telehealth is  
23 equivalent to the same health care service when provided through an in-person  
24 consultation.

25 (i) Subject to subsection (g)(2) of this section, the Program or a managed care  
26 organization that participates in the Program may not impose as a condition of  
27 reimbursement of a covered health care service delivered through telehealth that the  
28 health care service be provided by a third-party vendor designated by the Program.

29 (j) The Department may adopt regulations to carry out this section.

30 (k) The Department shall obtain any federal authority necessary to implement  
31 the requirements of this section, including applying to the Centers for Medicare and  
32 Medicaid Services for an amendment to any of the State's § 1115 waivers or the State plan.

33 (l) This section may not be construed to supersede the authority of the Health  
34 Services Cost Review Commission to set the appropriate rates for hospitals, including  
35 setting the hospital facility fee for hospital-provided telehealth.

1           **SUBTITLE 27. PRESCRIPTION DRUG DISPENSING SYSTEMS.**

2   **19-2701.**

3           **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
4 **INDICATED.**

5           **(B) “ADMINISTRATION” MEANS THE DIRECT APPLICATION OF A**  
6 **CONTROLLED SUBSTANCE BY INJECTION, INHALATION, INGESTION, OR ANY OTHER**  
7 **MEANS TO THE BODY OF A PATIENT BY:**

8                   **(1) AN AUTHORIZED PRESCRIBER OR ANOTHER AUTHORIZED**  
9 **INDIVIDUAL; OR**

10                   **(2) THE PATIENT AT THE DIRECTION AND IN THE PRESENCE OF THE**  
11 **AUTHORIZED PRESCRIBER WHO PRESCRIBED THE CONTROLLED SUBSTANCE.**

12           **(C) “AUTHORIZED PRESCRIBER” HAS THE MEANING STATED IN § 12-101 OF**  
13 **THE HEALTH OCCUPATIONS ARTICLE.**

14           **(D) “AUTOMATED DRUG DISPENSING SYSTEM” MEANS A MECHANICAL OR**  
15 **ELECTRONIC SYSTEM THAT PERFORMS OPERATIONS OR ACTIVITIES, OTHER THAN**  
16 **COMPOUNDING, AS DEFINED IN § 12-101 OF THE HEALTH OCCUPATIONS ARTICLE,**  
17 **OR ADMINISTRATION, RELATING TO PHARMACY SERVICES, INCLUDING:**

18                   **(1) THE STORAGE, DISPENSING, OR DISTRIBUTION OF DRUGS; AND**

19                   **(2) THE COLLECTION, CONTROL, AND MAINTENANCE OF ALL**  
20 **TRANSACTION INFORMATION REGARDING THE SECURITY OF DRUGS IN THE SYSTEM.**

21           **(E) “BOARD” MEANS THE STATE BOARD OF PHARMACY.**

22           **(F) “DISPENSE” HAS THE MEANING STATED IN § 3-401 OF THIS ARTICLE.**

23           **(G) “DRUG” HAS THE MEANING STATED IN § 21-101 OF THIS ARTICLE.**

24           **(H) “FACILITY” MEANS A HOSPITAL OR NURSING FACILITY, INCLUDING AN**  
25 **INTERMEDIATE CARE FACILITY, SKILLED NURSING FACILITY, COMPREHENSIVE**  
26 **CARE FACILITY, OR EXTENDED CARE FACILITY.**

1           **(I) “PHARMACIST-IN-CHARGE” MEANS A PHARMACIST WHO HOLDS A**  
2 **LICENSE ISSUED BY THE BOARD AND IS DESIGNATED BY A FACILITY TO ENSURE**  
3 **COMPLIANCE WITH THIS SUBTITLE.**

4           **(J) “REMOTE DISPENSING SYSTEM” MEANS A PROFILE-DRIVEN**  
5 **AUTOMATED DRUG DISPENSING SYSTEM THAT PERFORMS OPERATIONS OR**  
6 **ACTIVITIES RELATING TO THE STORAGE, PACKAGING, LABELING, OR DISPENSING OF**  
7 **MEDICATIONS USING BIDIRECTIONAL AUDIO-VISUAL TECHNOLOGY TO:**

8                   **(1) FACILITATE PHARMACIST COMMUNICATION WITH A PATIENT, AN**  
9 **AUTHORIZED AGENT OF THE PATIENT, OR AN INDIVIDUAL AUTHORIZED TO**  
10 **ADMINISTER DRUGS; AND**

11                   **(2) COLLECT, CONTROL, AND MAINTAIN ALL INFORMATION**  
12 **REGARDING THE SYSTEM ONLINE.**

13 **19-2702.**

14           **(A) A FACILITY MAY USE AN AUTOMATED DRUG DISPENSING SYSTEM OR**  
15 **REMOTE DISPENSING SYSTEM IF:**

16                   **(1) A DRUG STORED, DISPENSED, OR DISTRIBUTED BY THE**  
17 **AUTOMATED DRUG DISPENSING SYSTEM OR REMOTE DISPENSING SYSTEM IS:**

18                           **(I) PLACED IN THE AUTOMATED DRUG DISPENSING SYSTEM OR**  
19 **REMOTE DISPENSING SYSTEM IN A FACILITY; AND**

20                           **(II) UNDER THE CONTROL OF THE PHARMACY THAT PROVIDES**  
21 **SERVICES TO THE FACILITY;**

22                   **(2) THE PHARMACIST-IN-CHARGE HAS ESTABLISHED PROCEDURES**  
23 **FOR ENSURING:**

24                           **(I) THE ACCURATE STOCKING AND PROPER STORAGE OF**  
25 **DRUGS IN THE AUTOMATED DRUG DISPENSING SYSTEM OR REMOTE DISPENSING**  
26 **SYSTEM; AND**

27                           **(II) ACCOUNTABILITY FOR AND SECURITY OF ALL DRUGS IN AN**  
28 **AUTOMATED DRUG DISPENSING SYSTEM OR A REMOTE DISPENSING SYSTEM UNTIL**  
29 **THE TIME DRUGS ARE REMOVED FROM THE AUTOMATED DRUG DISPENSING SYSTEM**  
30 **OR REMOTE DISPENSING SYSTEM FOR ADMINISTRATION TO PATIENTS;**

1           **(3) THE REMOVAL OF A DRUG FROM AN AUTOMATED DRUG**  
2 **DISPENSING SYSTEM OR REMOTE DISPENSING SYSTEM FOR ADMINISTRATION TO A**  
3 **PATIENT IS MADE ACCORDING TO:**

4                   **(I) A WRITTEN PRESCRIPTION;**

5                   **(II) AN ELECTRONIC PRESCRIPTION, AS DEFINED IN § 5-101 OF**  
6 **THE CRIMINAL LAW ARTICLE; OR**

7                   **(III) AN ORAL PRESCRIPTION FROM AN AUTHORIZED**  
8 **PRESCRIBER;**

9           **(4) THE FACILITY PROVIDES ADEQUATE SECURITY FOR AUTOMATED**  
10 **DRUG DISPENSING SYSTEMS OR REMOTE DISPENSING SYSTEMS BY ESTABLISHING**  
11 **AND ADHERING TO WRITTEN POLICIES AND PROCEDURES FOR:**

12                   **(I) PREVENTING UNAUTHORIZED ACCESS;**

13                   **(II) COMPLYING WITH FEDERAL AND STATE REGULATIONS**  
14 **GOVERNING PRESCRIBING AND DISPENSING CONTROLLED SUBSTANCES;**

15                   **(III) MAINTAINING PATIENT CONFIDENTIALITY; AND**

16                   **(IV) ENSURING COMPLIANCE WITH THE REQUIREMENTS OF**  
17 **THIS SECTION;**

18           **(5) THE PHARMACIST-IN-CHARGE IS ACCOUNTABLE FOR ALL DRUGS**  
19 **DISPENSED FROM AN AUTOMATED DRUG DISPENSING SYSTEM OR A REMOTE**  
20 **DISPENSING SYSTEM;**

21           **(6) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE FILLING AND**  
22 **STOCKING OF ALL DRUGS IN AN AUTOMATED DRUG DISPENSING SYSTEM OR A**  
23 **REMOTE DISPENSING SYSTEM IS PERFORMED UNDER THE DIRECTION OF THE**  
24 **PHARMACIST-IN-CHARGE AND IN ACCORDANCE WITH STANDARDS DESCRIBED IN A**  
25 **POLICY AND PROCEDURE MANUAL MAINTAINED BY THE PROVIDER PHARMACY; AND**

26           **(7) EXCEPT WHEN THE AUTOMATED DRUG DISPENSING SYSTEM IS**  
27 **USED EXCLUSIVELY FOR THE ADMINISTRATION OF DRUGS FOR EMERGENCIES, A**  
28 **PHARMACY LOCATED OUTSIDE THE FACILITY IT SERVICES IS REQUIRED TO OBTAIN:**

29                   **(I) A CONTROLLED SUBSTANCES REGISTRATION ISSUED:**

1                   1.     **IN THE NAME OF THE PHARMACY AT THE ADDRESS OF**  
2 **THE FACILITY; AND**

3                   2.     **BY THE OFFICE OF CONTROLLED SUBSTANCES**  
4 **ADMINISTRATION UNDER § 5-301(A)(1) OF THE CRIMINAL LAW ARTICLE; AND**

5                   (ii)   **IF REQUIRED, A REGISTRATION FROM THE FEDERAL DRUG**  
6 **ENFORCEMENT ADMINISTRATION BEFORE STOCKING CONTROLLED SUBSTANCES**  
7 **IN SCHEDULES II THROUGH VI UNDER TITLE 5, SUBTITLE 4 OF THE CRIMINAL LAW**  
8 **ARTICLE.**

9           (b)   (1)   **THE FILLING AND STOCKING OF DRUGS INTO AN AUTOMATED**  
10 **DRUG DISPENSING SYSTEM OR A REMOTE DISPENSING SYSTEM SHALL BE**  
11 **PERFORMED BY:**

12                   (i)   **A PHARMACIST; OR**

13                   (ii)   **A REGISTERED PHARMACY TECHNICIAN WHO:**

14                   1.     **IS AN EMPLOYEE OF THE PHARMACY THAT IS**  
15 **SUPPLYING THE DRUGS; AND**

16                   2.     **IS PROPERLY TRAINED ON STANDARDS FOR FILLING**  
17 **AND STOCKING AN AUTOMATED DRUG DISPENSING SYSTEM OR A REMOTE**  
18 **DISPENSING SYSTEM IN ACCORDANCE WITH THE STANDARDS DESCRIBED UNDER**  
19 **SUBSECTION (A)(6) OF THIS SECTION.**

20                   (2)   **THE PHARMACIST WHO STOCKS AND FILLS AN AUTOMATED DRUG**  
21 **DISPENSING SYSTEM OR A REMOTE DISPENSING SYSTEM OR, IF AN AUTOMATED**  
22 **DRUG DISPENSING SYSTEM OR A REMOTE DISPENSING SYSTEM IS STOCKED AND**  
23 **FILLED BY A REGISTERED PHARMACY TECHNICIAN, THE PHARMACIST-IN-CHARGE,**  
24 **IS RESPONSIBLE FOR ENSURING THE STANDARDS DESCRIBED IN SUBSECTION (A)(6)**  
25 **OF THIS SECTION HAVE BEEN MET.**

26           (c)   **EXCEPT AS OTHERWISE AUTHORIZED BY THE BOARD, DRUGS PLACED**  
27 **INTO AND REMOVED FROM AN AUTOMATED DRUG DISPENSING SYSTEM OR A**  
28 **REMOTE DISPENSING SYSTEM FOR ADMINISTRATION TO PATIENTS SHALL BE:**

29                   (1)   **IN THE MANUFACTURER'S OR DISTRIBUTOR'S SEALED ORIGINAL**  
30 **PACKAGING;**

31                   (2)   **IN UNIT-DOSE CONTAINERS PACKAGED BY THE PHARMACY; OR**

1           **(3) IF APPROVED BY THE PHARMACIST-IN-CHARGE AND IN**  
2 **CONSULTATION WITH THE FACILITY:**

3           **(I) IN MULTIDOSE PACKAGING; OR**

4           **(II) IF THE DRUG IS IN A LIQUID, INJECTABLE, OR INHALED**  
5 **FORMULATION, IN A DEVICE, AS DEFINED IN § 3-401 OF THIS ARTICLE.**

6           **(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**  
7 **THE PHARMACIST-IN-CHARGE SHALL ESTABLISH PROCEDURES FOR:**

8           **(I) PERIODICALLY INSPECTING AND AUDITING AUTOMATED**  
9 **DRUG DISPENSING SYSTEMS AND REMOTE DISPENSING SYSTEMS TO ENSURE THE**  
10 **PROPER STORAGE, SECURITY, AND ACCOUNTABILITY FOR ALL DRUGS PLACED IN**  
11 **AND REMOVED FROM AUTOMATED DRUG DISPENSING SYSTEMS AND REMOTE**  
12 **DISPENSING SYSTEMS; AND**

13           **(II) REVIEWING THE OPERATION AND MAINTENANCE OF**  
14 **AUTOMATED DRUG DISPENSING SYSTEMS AND REMOTE DISPENSING SYSTEMS.**

15           **(2) IF A PHARMACY IS LOCATED WITHIN A HOSPITAL, A PHARMACIST**  
16 **SHALL REVIEW THE OPERATION AND MAINTENANCE OF THE AUTOMATED DRUG**  
17 **DISPENSING SYSTEM OR REMOTE DISPENSING SYSTEM:**

18           **(I) WHILE ON THE PREMISES OF THE HOSPITAL; AND**

19           **(II) FOR COMPLIANCE WITH THE PROCEDURES AND**  
20 **REGULATIONS ESTABLISHED BY THE PHARMACIST-IN-CHARGE AND THE BOARD.**

21           **(E) THE BOARD SHALL ADOPT REGULATIONS:**

22           **(1) ESTABLISHING MINIMUM REQUIREMENTS FOR:**

23           **(I) RANDOM PERIODIC INSPECTION AND MONTHLY AUDITS OF**  
24 **AUTOMATED DRUG DISPENSING SYSTEMS AND REMOTE DISPENSING SYSTEMS TO**  
25 **ENSURE THE PROPER STORAGE, SECURITY, AND ACCOUNTABILITY OF ALL DRUGS**  
26 **PLACED IN AND REMOVED FROM THE AUTOMATED DRUG DISPENSING SYSTEMS AND**  
27 **REMOTE DISPENSING SYSTEMS; AND**

28           **(II) REVIEWING THE OPERATION AND MAINTENANCE OF**  
29 **AUTOMATED DRUG DISPENSING SYSTEMS AND REMOTE DISPENSING SYSTEMS;**



1                   **(I) THE SAME OWNER; OR**

2                   **(II) ENTERED INTO A WRITTEN CONTRACT THAT DESCRIBES:**

3                         **1. THE SCOPE OF SERVICES TO BE PROVIDED; AND**

4                         **2. THE RESPONSIBILITIES AND ACCOUNTABILITIES OF**  
5 **EACH PHARMACY IN COMPLIANCE WITH ALL FEDERAL AND STATE LAWS AND**  
6 **REGULATIONS RELATED TO THE PRACTICE OF PHARMACY;**

7                   **(2) EACH PHARMACY COMPLIES WITH STATE LAW AND REGULATION**  
8 **RELATING TO:**

9                         **(I) THE REQUIREMENTS FOR SUPERVISION OF PHARMACY**  
10 **TECHNICIANS; AND**

11                        **(II) THE DUTIES THAT ARE RESTRICTED TO PHARMACISTS AND**  
12 **PHARMACY TECHNICIANS;**

13                        **(3) A PHARMACIST LICENSED IN THE STATE, REGARDLESS OF THE**  
14 **LOCATION OF THE PHARMACY AT WHICH THE PRESCRIPTION PROCESSING IS BEING**  
15 **PERFORMED, PERFORMS A CHECK FOR ACCURACY ON ALL PRESCRIPTION**  
16 **PROCESSING DONE BY A PHARMACY IN ANOTHER STATE; AND**

17                        **(4) EACH PHARMACY SHARES A COMMON ELECTRONIC FILE OR HAS**  
18 **TECHNOLOGY THAT ALLOWS SUFFICIENT INFORMATION SHARING NECESSARY TO**  
19 **PERFORM PRESCRIPTION PROCESSING.**

20                   **(C) (1) A PHARMACY THAT OUTSOURCES PRESCRIPTION PROCESSING TO**  
21 **ANOTHER PHARMACY SHALL PROVIDE NOTICE TO ALL PATIENTS THAT THE**  
22 **PHARMACY OUTSOURCES PRESCRIPTION PROCESSING.**

23                        **(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A PHARMACY**  
24 **MAY SATISFY THE NOTIFICATION REQUIREMENT UNDER PARAGRAPH (1) OF THIS**  
25 **SUBSECTION BY POSTING A SIGN IN THE PHARMACY IN A LOCATION THAT IS READILY**  
26 **VISIBLE TO THE PUBLIC.**

27                        **(3) THE NOTICE REQUIRED UNDER THIS SUBSECTION SHALL STATE:**

28                        **(I) THE NAME OF ANY CONTRACT PHARMACY PROVIDING**  
29 **PRESCRIPTION PROCESSING; AND**

1           **(II) IF APPLICABLE, THAT THE PHARMACY USES A NETWORK OF**  
2 **PHARMACIES UNDER COMMON OWNERSHIP.**

3           **(D) (1) EACH PHARMACY SHALL DEVELOP, MAINTAIN, AND MAKE**  
4 **AVAILABLE TO THE PUBLIC A POLICY AND PROCEDURE MANUAL THAT GOVERNS THE**  
5 **OUTSOURCING PRESCRIPTION PROCESSING.**

6           **(2) THE MANUAL REQUIRED UNDER THIS SUBSECTION SHALL**  
7 **INCLUDE THE FOLLOWING, AT A MINIMUM:**

8           **(I) THE RESPONSIBILITIES OF EACH PHARMACY INVOLVED IN**  
9 **PRESCRIPTION PROCESSING FOR THE PHARMACY;**

10           **(II) A LIST OF THE NAMES, ADDRESSES, TELEPHONE NUMBERS,**  
11 **AND PERMIT OR REGISTRATION NUMBERS OF ALL PHARMACIES INVOLVED IN**  
12 **PRESCRIPTION PROCESSING FOR THE PHARMACY;**

13           **(III) PROCEDURES FOR PROTECTING THE CONFIDENTIALITY**  
14 **AND INTEGRITY OF PATIENT INFORMATION;**

15           **(IV) PROCEDURES FOR ENSURING THAT PHARMACISTS**  
16 **PERFORMING PROSPECTIVE DRUG REVIEWS HAVE ACCESS TO APPROPRIATE DRUG**  
17 **INFORMATION RESOURCES;**

18           **(V) PROCEDURES FOR MAINTAINING REQUIRED RECORDS;**

19           **(VI) PROCEDURES FOR COMPLYING WITH ALL APPLICABLE**  
20 **LAWS AND REGULATIONS, INCLUDING LAWS AND REGULATIONS RELATED TO**  
21 **COUNSELING;**

22           **(VII) PROCEDURES FOR OBJECTIVELY AND SYSTEMATICALLY**  
23 **MONITORING AND EVALUATING THE QUALITY OF THE PRESCRIPTION PROCESSING**  
24 **THAT HAS BEEN OUTSOURCED TO RESOLVE PROBLEMS AND IMPROVE SERVICES;**  
25 **AND**

26           **(VIII) PROCEDURES FOR ANNUALLY REVIEWING THE WRITTEN**  
27 **POLICIES AND PROCEDURES FOR ANY NEEDED MODIFICATION.**

28           **(E) A PHARMACY THAT OUTSOURCES PRESCRIPTION PROCESSING SHALL**  
29 **MAINTAIN RECORDS THAT SHOW, FOR EACH PRESCRIPTION PROCESSED:**

30           **(1) EACH INDIVIDUAL WHO PERFORMED THE PRESCRIPTION**  
31 **PROCESSING; AND**

1           **(2) IF APPLICABLE, THE PHARMACIST WHO REVIEWED THE**  
2 **PRESCRIPTION PROCESSING.**

3           **(F) (1) A RECORD MAINTAINED UNDER SUBSECTION (E) OF THIS SECTION**  
4 **MAY BE MAINTAINED:**

5                   **(I) SEPARATELY BY EACH PHARMACY; OR**

6                   **(II) IN A COMMON ELECTRONIC FILE SHARED BY BOTH**  
7 **PHARMACIES IF THE SYSTEM CAN PRODUCE A RECORD SHOWING:**

8                           **1. EACH PRESCRIPTION PROCESSING TASK;**

9                           **2. THE IDENTITY OF THE INDIVIDUAL PERFORMING**  
10 **EACH TASK; AND**

11                           **3. THE LOCATION AT WHICH EACH PRESCRIPTION**  
12 **PROCESSING TASK WAS PERFORMED.**

13           **(2) EACH RECORD SHALL BE:**

14                   **(I) MAINTAINED IN A RETRIEVABLE FORM FOR AT LEAST 2**  
15 **YEARS; AND**

16                   **(II) AVAILABLE FOR INSPECTION BY THE BOARD.**

17           **(G) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT AN INDIVIDUAL**  
18 **EMPLOYEE LICENSED AS A PHARMACIST IN THE STATE FROM ACCESSING THE**  
19 **EMPLOYER PHARMACY'S DATABASE FROM A REMOTE LOCATION FOR THE PURPOSE**  
20 **OF PERFORMING PRESCRIPTION PROCESSING IF THE PHARMACY ESTABLISHES**  
21 **CONTROLS TO PROTECT THE PRIVACY AND SECURITY OF CONFIDENTIAL RECORDS.**

## 22                                   **Article – Insurance**

23           15–139.

24           (a) (1) In this section, “telehealth” means, as it relates to the delivery of health  
25 care services, the use of interactive audio, video, or other telecommunications or electronic  
26 technology by a licensed health care provider to deliver a health care service within the  
27 scope of practice of the health care provider at a location other than the location of the  
28 patient.

29                   (2) “Telehealth” includes:

1           (I) an audio-only telephone conversation between a health care  
2 provider and a patient that results in the delivery of a billable, covered health care service;  
3 AND

4           (II) AUTOMATED DRUG DISPENSING SYSTEMS AND REMOTE  
5 DISPENSING SYSTEMS, AS THOSE TERMS ARE DEFINED IN § 19-2701 OF THE HEALTH  
6 – GENERAL ARTICLE.

7           (3) “Telehealth” does not include:

8           (i) except as provided in paragraph (2) of this subsection, an  
9 audio-only telephone conversation between a health care provider and a patient;

10           (ii) an electronic mail message between a health care provider and a  
11 patient; or

12           (iii) a facsimile transmission between a health care provider and a  
13 patient.

14           (b) This section applies to:

15           (1) insurers and nonprofit health service plans that provide hospital,  
16 medical, or surgical benefits to individuals or groups on an expense-incurred basis under  
17 health insurance policies or contracts that are issued or delivered in the State; and

18           (2) health maintenance organizations that provide hospital, medical, or  
19 surgical benefits to individuals or groups under contracts that are issued or delivered in  
20 the State.

21           (c) (1) An entity subject to this section:

22           (i) shall provide coverage under a health insurance policy or  
23 contract for health care services appropriately delivered through telehealth regardless of  
24 the location of the patient at the time the telehealth services are provided;

25           (ii) may not exclude from coverage a health care service solely  
26 because it is provided through telehealth and is not provided through an in-person  
27 consultation or contact between a health care provider and a patient; and

28           (iii) may not exclude from coverage or deny coverage for a behavioral  
29 health care service that is a covered benefit under a health insurance policy or contract  
30 when provided in person solely because the behavioral health care service may also be  
31 provided through a covered telehealth benefit.

1           (2)    The health care services appropriately delivered through telehealth  
2 shall include counseling and treatment for substance use disorders and mental health  
3 conditions.

4           (d)   (1)    Subject to paragraph (2) of this subsection, an entity subject to this  
5 section:

6                   (i)    shall reimburse a health care provider for the diagnosis,  
7 consultation, and treatment of an insured patient for a health care service covered under a  
8 health insurance policy or contract that can be appropriately provided through telehealth;

9                   (ii)   is not required to:

10                           1.    reimburse a health care provider for a health care service  
11 delivered in person or through telehealth that is not a covered benefit under the health  
12 insurance policy or contract; or

13                           2.    reimburse a health care provider who is not a covered  
14 provider under the health insurance policy or contract; and

15                           (iii) 1.    may impose a deductible, copayment, or coinsurance  
16 amount on benefits for health care services that are delivered either through an in-person  
17 consultation or through telehealth;

18                                   2.    may impose an annual dollar maximum as permitted by  
19 federal law; and

20                                   3.    may not impose a lifetime dollar maximum.

21           (2)   (i)    When a health care service is appropriately provided through  
22 telehealth, an entity subject to this section shall provide reimbursement in accordance with  
23 paragraph (1)(i) of this subsection on the same basis and at the same rate as if the health  
24 care service were delivered by the health care provider in person.

25                   (ii)   The reimbursement required under subparagraph (i) of this  
26 paragraph does not include:

27                           1.    clinic facility fees unless the health care service is  
28 provided by a health care provider not authorized to bill a professional fee separately for  
29 the health care service; or

30                           2.    any room and board fees.

31                   (iii)   This paragraph may not be construed to supersede the authority  
32 of the Health Services Cost Review Commission to set the appropriate rates for hospitals,  
33 including setting the hospital facility fee for hospital-provided telehealth.

1           (e)     Subject to subsection (d)(1)(ii) of this section, an entity subject to this section  
2 may not impose as a condition of reimbursement of a covered health care service delivered  
3 through telehealth that the health care service be provided by a third-party vendor  
4 designated by the entity.

5           (f)     An entity subject to this section may undertake utilization review, including  
6 preauthorization, to determine the appropriateness of any health care service whether the  
7 service is delivered through an in-person consultation or through telehealth if the  
8 appropriateness of the health care service is determined in the same manner.

9           (g)     A health insurance policy or contract may not distinguish between patients in  
10 rural or urban locations in providing coverage under the policy or contract for health care  
11 services delivered through telehealth.

12           (h)     A decision by an entity subject to this section not to provide coverage for  
13 telehealth in accordance with this section constitutes an adverse decision, as defined in §  
14 15–10A–01 of this title, if the decision is based on a finding that telehealth is not medically  
15 necessary, appropriate, or efficient.

16           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2026.