

HOUSE BILL 1114

J1, J2

6lr2296
CF 6lr3419

By: **Delegates Martinez, Acevero, Clippinger, Fair, Kaiser, Kaufman, Vogel, and Woorman**

Introduced and read first time: February 11, 2026

Assigned to: Health

A BILL ENTITLED

1 AN ACT concerning

2 **HIV Prevention Drugs – Prescribing, Dispensing, and Insurance Coverage**

3 FOR the purpose of authorizing pharmacists to prescribe and dispense preexposure
4 prophylaxis for HIV prevention to patients under certain circumstances; requiring
5 the Maryland Medical Assistance Program to provide drugs that are approved by the
6 U.S. Food and Drug Administration for HIV prevention; prohibiting managed care
7 organizations, insurers, nonprofit health service plans, and health maintenance
8 organizations from requiring prior authorization for preexposure prophylaxis for
9 HIV prevention or step therapy or cost-sharing for preexposure prophylaxis for HIV
10 prevention or postexposure prophylaxis for HIV prevention; requiring the State
11 Board of Pharmacy to develop a certain notification plan and convene a certain
12 workgroup; and generally relating to HIV prevention drugs.

13 BY adding to

14 Article – Health – General
15 Section 15–102.3(p) and 15–103(a)(2)(xxix)
16 Annotated Code of Maryland
17 (2023 Replacement Volume and 2025 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article – Health – General
20 Section 15–103(a)(1)
21 Annotated Code of Maryland
22 (2023 Replacement Volume and 2025 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Health – General
25 Section 15–103(a)(2)(xxvii) and (xxviii) and (b)(32)
26 Annotated Code of Maryland
27 (2023 Replacement Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 BY repealing and reenacting, without amendments,
2 Article – Health Occupations
3 Section 12–101(a)
4 Annotated Code of Maryland
5 (2021 Replacement Volume and 2025 Supplement)
- 6 BY repealing and reenacting, with amendments,
7 Article – Health Occupations
8 Section 12–101(x)(1)(xiii) and (xiv)
9 Annotated Code of Maryland
10 (2021 Replacement Volume and 2025 Supplement)
- 11 BY adding to
12 Article – Health Occupations
13 Section 12–101(x)(1)(xv) and 12–515
14 Annotated Code of Maryland
15 (2021 Replacement Volume and 2025 Supplement)
- 16 BY repealing and reenacting, with amendments,
17 Article – Insurance
18 Section 15–858
19 Annotated Code of Maryland
20 (2017 Replacement Volume and 2025 Supplement)

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

23 **Article – Health – General**

24 15–103.

25 (a) (1) The Secretary shall administer the Maryland Medical Assistance
26 Program.

27 (2) The Program:

28 (xxvii) Beginning on January 1, 2026, if providing coverage for the
29 delivery of anesthesia, shall provide coverage for the delivery of anesthesia in accordance
30 with § 15–862 of the Insurance Article; [and]

31 (xxviii) Beginning on January 1, 2026, shall provide calcium score
32 testing in accordance with § 15–863 of the Insurance Article; AND

33 **(XXIX) BEGINNING ON JANUARY 1, 2027, SHALL PROVIDE,**
34 **SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET, MEDICALLY APPROPRIATE**
35 **DRUGS THAT ARE APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION FOR**

1 **HIV PREVENTION, INCLUDING:**

2 **1. PREEXPOSURE PROPHYLAXIS, AS DEFINED IN §**
3 **12-515 OF THE HEALTH OCCUPATIONS ARTICLE; AND**

4 **2. POSTEXPOSURE PROPHYLAXIS.**

5 (b) (32) A managed care organization may not apply a prior authorization
6 requirement for a prescription drug used as **PREEXPOSURE PROPHYLAXIS OR**
7 **postexposure prophylaxis** for the prevention of HIV if the prescription drug is prescribed
8 for use in accordance with Centers for Disease Control and Prevention Guidelines.

9 **Article – Health Occupations**

10 12-101.

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

12 (x) (1) “Practice pharmacy” means to engage in any of the following activities:

13 (xiii) Prescribing and dispensing nicotine replacement therapy
14 medications; [or]

15 (xiv) If the pharmacist is registered with the Nonoccupational
16 Postexposure Prophylaxis (nPEP) Standing Order Program established under § 13-5302 of
17 the Health – General Article, dispensing nonoccupational postexposure prophylaxis (nPEP)
18 medication approved by the U.S. Food and Drug Administration and in accordance with
19 “Updated Guidelines for Antiretroviral Postexposure Prophylaxis After Sexual, Injection
20 Drug Use, or Other Nonoccupational Exposure to HIV – United States 2016” or subsequent
21 guidelines published by the federal Centers for Disease Control and Prevention; **OR**

22 **(XV) PRESCRIBING AND DISPENSING PREEXPOSURE**
23 **PROPHYLAXIS MEDICATIONS FOR HIV APPROVED BY THE U.S. FOOD AND DRUG**
24 **ADMINISTRATION AND IN ACCORDANCE WITH “PREEXPOSURE PROPHYLAXIS FOR**
25 **THE PREVENTION OF HIV INFECTION IN THE UNITED STATES – 2021 UPDATE: A**
26 **CLINICAL PRACTICE GUIDELINE” OR ANY SUBSEQUENT GUIDELINES PUBLISHED BY**
27 **THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION.**

28 **12-515.**

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

31 **(2) “CDC GUIDELINES FOR POSTEXPOSURE PROPHYLAXIS” MEANS**
32 **“UPDATED GUIDELINES FOR ANTIRETROVIRAL POSTEXPOSURE PROPHYLAXIS**

1 AFTER SEXUAL, INJECTION DRUG USE, OR OTHER NONOCCUPATIONAL EXPOSURE
2 TO HIV – UNITED STATES, 2025” OR ANY SUBSEQUENT GUIDELINES PUBLISHED BY
3 THE FEDERAL CENTERS FOR DISEASE CONTROL AND PREVENTION.

4 (3) “CDC GUIDELINES FOR PREEXPOSURE PROPHYLAXIS” MEANS
5 “PREEXPOSURE PROPHYLAXIS FOR THE PREVENTION OF HIV INFECTION IN THE
6 UNITED STATES – 2021 UPDATE: A CLINICAL PRACTICE GUIDELINE” OR ANY
7 SUBSEQUENT GUIDELINES PUBLISHED BY THE FEDERAL CENTERS FOR DISEASE
8 CONTROL AND PREVENTION.

9 (4) “POSTEXPOSURE PROPHYLAXIS” MEANS ANY DRUG
10 COMBINATION APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION THAT IS:

11 (I) USED TO PREVENT HIV INFECTION FOLLOWING AN
12 EXPOSURE OR POTENTIAL EXPOSURE TO HIV; AND

13 (II) ADMINISTERED IN ACCORDANCE WITH THE CENTERS FOR
14 DISEASE CONTROL AND PREVENTION, IN THE CDC GUIDELINES FOR
15 POSTEXPOSURE PROPHYLAXIS.

16 (5) “PREEXPOSURE PROPHYLAXIS” MEANS ANY DRUG COMBINATION
17 APPROVED BY THE U.S. FOOD AND DRUG ADMINISTRATION, INCLUDING ORAL AND
18 INJECTABLE FORMULATIONS, THAT IS:

19 (I) PROVIDED TO AN HIV-NEGATIVE PERSON TO PREVENT
20 HIV INFECTION; AND

21 (II) ADMINISTERED IN ACCORDANCE WITH THE CENTERS FOR
22 DISEASE CONTROL AND PREVENTION, IN THE CDC GUIDELINES FOR
23 PREEXPOSURE PROPHYLAXIS.

24 (B) (1) A PHARMACIST MAY PRESCRIBE AND DISPENSE A COMPLETE
25 COURSE OF PREEXPOSURE PROPHYLAXIS TO A PATIENT:

26 (I) UNDER GUIDELINES ESTABLISHED BY THE BOARD
27 THROUGH REGULATION;

28 (II) IF THE PHARMACIST PROVIDES COUNSELING TO THE
29 PATIENT ON THE USE OF PREEXPOSURE PROPHYLAXIS CONSISTENT WITH THE CDC
30 GUIDELINES FOR PREEXPOSURE PROPHYLAXIS, INCLUDING EDUCATION
31 REGARDING SIDE EFFECTS, SAFETY DURING PREGNANCY AND BREASTFEEDING,
32 ADHERENCE TO RECOMMENDED DOSING, AND THE IMPORTANCE OF TIMELY
33 TESTING AND TREATMENT, AS APPLICABLE, FOR HIV AND SEXUALLY TRANSMITTED
34 DISEASES; AND

(III) IF THE PHARMACIST PROVIDES:

1. NOTICE TO THE PATIENT’S PRIMARY CARE PROVIDER OF THE PREEXPOSURE PROPHYLAXIS TREATMENT; OR

2. IF THE PATIENT DOES NOT HAVE A PRIMARY CARE PROVIDER OR REFUSES TO PROVIDE THE NAME OF A HEALTH CARE PROVIDER, THE PATIENT WITH A LIST OF PHYSICIANS, CLINICS, OR OTHER HEALTH CARE PROVIDERS IN THE AREA, TO CONTACT REGARDING FOLLOW-UP CARE FOR POSTEXPOSURE PROPHYLAXIS.

(2) A PHARMACIST MAY NOT ALLOW A PATIENT TO REFUSE OR WAIVE A CONSULTATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(C) (1) (I) BEFORE PRESCRIBING AND DISPENSING PREEXPOSURE PROPHYLAXIS TO A PATIENT, A PHARMACIST SHALL COMPLETE A TRAINING PROGRAM APPROVED BY THE BOARD.

(II) THE TRAINING PROGRAM REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE INFORMATION ABOUT FINANCIAL ASSISTANCE PROGRAMS FOR PREEXPOSURE PROPHYLAXIS.

(2) THE BOARD SHALL CONSULT WITH THE STATE BOARD OF PHYSICIANS, THE STATE BOARD OF NURSING, AND OTHER RELEVANT STAKEHOLDERS, INCLUDING THE MARYLAND CENTER FOR HIV CARE SERVICES, WHEN DEVELOPING OR APPROVING TRAINING PROGRAMS THAT MEET THE REQUIREMENTS OF THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Health – General

15–102.3.

(P) THE PROVISIONS OF § 15–858 OF THE INSURANCE ARTICLE APPLY TO MANAGED CARE ORGANIZATIONS IN THE SAME MANNER AS THEY APPLY TO CARRIERS.

Article – Insurance

15–858.

(a) (1) This section applies to:

1 (i) insurers and nonprofit health service plans that provide coverage
2 for prescription drugs under individual, group, or blanket health insurance policies or
3 contracts that are issued or delivered in the State; and

4 (ii) health maintenance organizations that provide coverage for
5 prescription drugs under individual or group contracts that are issued or delivered in the
6 State.

7 (2) An insurer, a nonprofit health service plan, or a health maintenance
8 organization that provides coverage for prescription drugs through a pharmacy benefits
9 manager is subject to the requirements of this section.

10 (b) An entity subject to this section may not apply a prior authorization
11 requirement **OR STEP THERAPY OR IMPOSE ANY COST-SHARING REQUIREMENTS,**
12 **INCLUDING COPAYMENTS, COINSURANCE, OR DEDUCTIBLES,** for a prescription drug
13 used as **PREEXPOSURE PROPHYLAXIS OR** postexposure prophylaxis for the prevention of
14 HIV if the prescription drug is prescribed for use in accordance with Centers for Disease
15 Control and Prevention guidelines.

16 (c) **AN ENTITY SUBJECT TO THIS SECTION MAY NOT IMPOSE ANY**
17 **COST-SHARING REQUIREMENTS, INCLUDING COPAYMENTS, COINSURANCE, OR**
18 **DEDUCTIBLES, FOR MEDICALLY NECESSARY AND APPROPRIATE SERVICES RELATED**
19 **TO THE USE OF PREEXPOSURE PROPHYLAXIS OR POSTEXPOSURE PROPHYLAXIS,**
20 **INCLUDING:**

21 (1) **HIV TESTING;**

22 (2) **KIDNEY FUNCTION TESTING;**

23 (3) **ONGOING FOLLOW-UP AND MONITORING EVERY 3 MONTHS;**

24 (4) **PREGNANCY TESTING;**

25 (5) **PROVIDER OFFICE AND TELEHEALTH VISITS FOR PRESCRIBING**
26 **AND MEDICATION MANAGEMENT;**

27 (6) **SEROLOGIC LABORATORY TESTING FOR HEPATITIS B AND**
28 **HEPATITIS C VIRUSES;**

29 (7) **TESTING FOR OTHER SEXUALLY TRANSMITTED INFECTIONS,**
30 **INCLUDING THREE-SITE TESTING FOR GONORRHEA AND CHLAMYDIA; AND**

31 (8) **VACCINATIONS FOR HEPATITIS B.**

1 SECTION 3. AND BE IT FURTHER ENACTED, That, on or before October 1, 2026,
2 the State Board of Pharmacy shall:

3 (1) develop a plan to ensure pharmacists throughout the State are notified
4 of the provisions of this Act and the training programs developed or approved under §
5 12-515(c) of the Health Occupations Article, as enacted by Section 1 of this Act; and

6 (2) establish a workgroup with relevant stakeholders to consider and make
7 recommendations to the General Assembly on collaborative practice agreements or a
8 statewide protocol under which pharmacists may assess patients, order labs, and prescribe
9 preexposure prophylaxis.

10 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take
11 effect January 1, 2027.

12 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section
13 4 of this Act, this Act shall take effect July 1, 2026.