

HOUSE BILL 1380

J5

6lr2203

By: **Delegate Fair**

Introduced and read first time: February 13, 2026

Assigned to: Health

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Prescriptions for Gender–Affirming Care and Hormone**
3 **Therapy – Coverage and Dispensing Requirements**

4 FOR the purpose of requiring insurers, nonprofit health service plans, and health
5 maintenance organizations to provide coverage for a certain supply of prescription
6 drugs used for gender–affirming care or hormone therapy in certain circumstances;
7 altering the amount of certain prescription drugs that a pharmacist is allowed to
8 dispense on or after a certain date; and generally relating to the coverage of
9 prescription drugs by health insurance carriers.

10 BY adding to

11 Article – Insurance

12 Section 15–864

13 Annotated Code of Maryland

14 (2017 Replacement Volume and 2025 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article – Health Occupations

17 Section 12–512

18 Annotated Code of Maryland

19 (2021 Replacement Volume and 2025 Supplement)

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

22 **Article – Insurance**

23 **15–864.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) (1) IN THIS SECTION, “QUALIFYING PRESCRIPTION” MEANS A
2 PRESCRIPTION FOR A PRESCRIPTION DRUG:

3 (I) USED TO MEDICALLY SUPPRESS, INCREASE, OR REPLACE
4 HORMONES THAT THE BODY IS NOT PRODUCING AT INTENDED LEVELS; OR

5 (II) RELATED TO GENDER-AFFIRMING TREATMENT, AS
6 DEFINED IN § 15-151 OF THE HEALTH – GENERAL ARTICLE, THAT IS LAWFUL IN THE
7 STATE.

8 (2) “QUALIFYING PRESCRIPTION” DOES NOT INCLUDE A
9 PRESCRIPTION FOR:

10 (I) A GLUCAGON-LIKE PEPTIDE-1 OR GLUCAGON-LIKE
11 PEPTIDE-1 RECEPTOR ANTAGONIST;

12 (II) A PRESCRIPTION DRUG THAT CANNOT BE SAFELY STORED
13 AT ROOM TEMPERATURE WITHOUT REFRIGERATION; OR

14 (III) A PRESCRIPTION PRESCRIBED FOR SINGLE USE,
15 EMERGENCY USE, OR FOR A NONRENEWABLE COURSE OF TREATMENT THAT THE
16 PRESCRIBER DOES NOT INTEND TO CONTINUE ON AN ONGOING OR MAINTENANCE
17 BASIS.

18 (B) THIS SECTION APPLIES TO:

19 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT
20 PROVIDE COVERAGE FOR QUALIFYING PRESCRIPTIONS UNDER HEALTH INSURANCE
21 POLICIES AND CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

22 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE
23 COVERAGE FOR PRESCRIPTIONS FOR QUALIFYING PRESCRIPTIONS UNDER
24 CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

25 (C) SUBJECT TO SUBSECTIONS (D) AND (E) OF THIS SECTION, AN ENTITY
26 SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR A SINGLE DISPENSING
27 TO AN INSURED OR ENROLLEE OF A SUPPLY OF A QUALIFYING PRESCRIPTION FOR
28 UP TO A 12-MONTH PERIOD.

29 (D) FOR A QUALIFYING PRESCRIPTION THAT IS FOR A CONTROLLED
30 SUBSTANCE, AN ENTITY SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR
31 THE MAXIMUM SUPPLY THAT MAY BE DISPENSED AT ONE TIME UNDER FEDERAL AND
32 STATE LAW.

1 (E) AN ENTITY SUBJECT TO THIS SECTION MAY:

2 (1) TEMPORARILY LIMIT DISPENSING OF A QUALIFYING
3 PRESCRIPTION TO A 90-DAY SUPPLY IF THE QUALIFYING PRESCRIPTION IS FOR A
4 DRUG EXPERIENCING AN ACUTE DISPENSING SHORTAGE;

5 (2) LIMIT THE DISPENSING OF A QUALIFYING PRESCRIPTION
6 OBTAINED DURING THE LAST QUARTER OF A PLAN YEAR IF A 12-MONTH SUPPLY OF
7 THE SAME QUALIFYING PRESCRIPTION WAS ALREADY DISPENSED DURING THE PLAN
8 YEAR; AND

9 (3) TO THE EXTENT AUTHORIZED UNDER FEDERAL AND STATE LAW,
10 APPLY UTILIZATION MANAGEMENT STRATEGIES TO A QUALIFYING PRESCRIPTION.

11 (F) AN ENTITY SUBJECT TO THIS SECTION MAY NOT REQUIRE AN ENROLLEE
12 TO ACCEPT A 12-MONTH SUPPLY OF A QUALIFYING PRESCRIPTION IF:

13 (1) THE ENROLLEE REQUESTS A SMALLER SUPPLY OF THE
14 QUALIFYING PRESCRIPTION; OR

15 (2) THE PRESCRIBING PROVIDER INDICATES THAT THE ENROLLEE
16 SHOULD RECEIVE A SMALLER SUPPLY OF THE QUALIFYING PRESCRIPTION.

17 Article – Health Occupations

18 12-512.

19 (a) (1) In this section[, “authorized prescriber”] THE FOLLOWING WORDS
20 HAVE THE MEANINGS INDICATED.

21 (2) “AUTHORIZED PRESCRIBER” has the meaning stated in § 12-101 of
22 this title.

23 (3) “QUALIFYING PRESCRIPTION” HAS THE MEANING STATED IN §
24 15-864 OF THE INSURANCE ARTICLE.

25 (b) This section does not apply to:

26 (1) A controlled dangerous substance as defined in § 5-101 of the Criminal
27 Law Article; or

28 (2) The first prescription or change in a prescription for a drug that an
29 authorized prescriber prescribes for a patient.

1 (c) Except as provided in subsection (d) of this section, a pharmacist may
2 dispense, in a single dispensing and exercising the professional judgment of the
3 pharmacist, a quantity of a prescription drug that:

4 (1) Is up to the total number of dosage units authorized by the prescriber
5 on the original prescription and any refills of the prescription;

6 (2) Except for a contraceptive dispensed on or after January 1, 2020, **OR A**
7 **QUALIFYING PRESCRIPTION DISPENSED AFTER JANUARY 1, 2027**, does not exceed a
8 90-day supply of the prescription drug; [and]

9 (3) For a contraceptive dispensed on or after January 1, 2020, does not
10 exceed a 12-month supply of the prescription drug; **AND**

11 **(4) FOR A QUALIFYING PRESCRIPTION DISPENSED AFTER JANUARY**
12 **1, 2027, DOES NOT EXCEED A 12-MONTH SUPPLY OF THE PRESCRIPTION DRUG.**

13 (d) A pharmacist may not dispense, in a single dose, a quantity of a prescription
14 drug that exceeds the limit prescribed by a prescriber when the prescriber has indicated
15 that the prescription be dispensed only as prescribed.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
17 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
18 after January 1, 2027.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 January 1, 2027.