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**TESTIMONY OF
THE
MARYLAND INSURANCE ADMINISTRATION
BEFORE THE
SENATE EDUCATION, HEALTH, AND ENVIRONMENTAL AFFAIRS COMMITTEE**

JANUARY 26, 2021

**SENATE BILL 84 – PHARMACISTS – ADMINISTRATION OF SELF-ADMINISTERED MEDICATIONS
AND MAINTENANCE INJECTABLE MEDICATIONS**

POSITION: LETTER OF INFORMATION

Thank you for the opportunity to provide written comments regarding Senate Bill 84. Senate Bill 84 amends the Health-General and Health-Occupations Articles related to the authorization of pharmacists to administer maintenance injectable medications under certain circumstances when prescribed by an authorized prescriber. The bill also amends the Insurance Articles to include a new § 15-716 which will require carriers to reimburse pharmacists to the same extent as any other provider in administering self-administered medications or maintenance injectable medications. The Maryland Insurance Administration (MIA) believes the bill, as drafted, should be technically amended to allow the MIA to better enforce the provisions of the bill.

The current language in § 15-716 (a) of the Insurance Article describing the types of contracts that are subject to the bill is oddly worded compared to similar sections of the Insurance Article. The language indicates that the section applies to “policies and contracts...for coverage for patient assessment regarding, and administration of, self-administered medications and maintenance injectable medications.” This language implies that coverage for patient assessment/administration of those medications would be the primary purpose of the contract. This would not be the case. The language that is customarily used for statutes such as this, and which would appear more appropriate in Senate Bill 84, is “policies and contracts...that provide coverage for patient assessment...”

The bill language in §15-716 (a) of the Insurance Article states “coverage for patient assessment regarding... self-administered medications and maintenance injectable medications” but the next subsection (b) only lists coverage of services rendered in “administering” those medications. The MIA believes the language should be consistent between both sections. The language in (b) should be amended to conform to (a), stating that the coverage would be for “patient assessment regarding, and administering self-administered medications or maintenance injectable medications.”

While the MIA does not have a policy position on Senate Bill 84, the bill should be technically amended to allow the MIA to better enforce the provisions of the Senate Bill 84.

BY: Maryland Insurance Administration

AMENDMENTS TO SENATE BILL 84
(First Reading File Bill)

AMENDMENT NO. 1

On page 5, in Line 18, delete “**for coverage**” and insert “**that provide coverage**”

Rationale: The new language is what is used throughout the Insurance Article when referring to provisions like this.

AMENDMENT NO. 2

On page 5, in Line 25, after “**Practitioner,**” add “**for patient assessment regarding and**”

Rationale: This amendment keeps section (a) and (b) of §15-716 consistent.