



DEPARTMENT OF HEALTH

Wes Moore, Governor · Aruna Miller, Lt. Governor · Laura Herrera Scott, M.D., M.P.H., Secretary

MARYLAND BOARD OF PHARMACY

Jennifer L. Hardesty, PharmD, FASCP, Board President — Deena Speights-Napata, MA, Executive Director

March 2, 2023

The Honorable Joseline A. Peña-Melnyk
Chair, House Health and Government Operations Committee
Room 241, House Office Building
Annapolis, Maryland 21401

RE: House Bill 539 –Pharmacy Benefits Managers – Prohibited Actions

Dear Chair Peña-Melnyk and Committee Members:

The Maryland Board of Pharmacy (Board) respectfully submits this letter of support for House Bill (SB) 539 –Pharmacy Benefits Managers – Prohibited Actions.

HB 539 would prohibit a pharmacy benefits manager from engaging in spread pricing, denying any pharmacy the right to participate in a policy or contract if it is capable of meeting required terms and conditions, taking more than 30 days to review a pharmacy's application for participation in a policy or contract, or setting different fees for a beneficiary's copay based on whether a pharmacy is affiliated with an independent or chain pharmacy. § 15-1611(b). HB 539 would prevent a pharmacy benefits manager from requiring that a beneficiary obtain a prescription from a mail order pharmacy. § 15-1611.1(c).

HB 539 would enhance patient access to pharmacy locations and increase patient choice amongst pharmacy professionals. Patients who are not blocked from seeking care at their preferred pharmacy location may benefit from improved consultations and more in-depth drug utilization reviews. Maintenance and support of beneficial, stable patient-provider relationships results in improved health outcomes.

The Board respectfully requests a favorable report on HB 539.

If you would like to discuss this further, please do not hesitate to contact Deena Speights-Napata, MA, Executive Director at deena.speights-napata@maryland.gov or (410) 764-4753.

Sincerely,

A handwritten signature in cursive script, appearing to read "Deena".

Deena Speights-Napata, MA
Executive Director