

SENATE BILL 306

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5lr0818

By: **Senator Beidle**

Introduced and read first time: January 13, 2025

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning
2 **Workers' Compensation – Prescription Drug and Pharmaceutical Services –**
3 **Reimbursements**

4 FOR the purpose of requiring the State Workers' Compensation Commission to regulate
5 fees and other charges for the reimbursement of prescription drugs and
6 pharmaceutical services; [limiting reimbursements to a certain cost index or
indexes;]
7 and generally relating to reimbursement for prescription drugs and pharmaceutical
8 services under workers' compensation law.

9 BY repealing and reenacting, with amendments,

10 Article – Labor and Employment

11 Section 9–663

12 Annotated Code of Maryland

13 (2016 Replacement Volume and 2024 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16

17 9–663.

Article – Labor and Employment

1 (a) (1) The Commission shall adopt regulations setting standards for the
2 assessment of fines under § 9–664 of this Part IX of this subtitle.

3 (2) The Commission may adopt regulations about:

4 (i) the provision of medicine and medical, nursing, and hospital
5 services to a covered employee;

(ii) payment for the medicine and services; and

EXPLANATION: Capitals indicate matter added to existing law.

[Brackets] indicate matter deleted from existing law.

1 (iii) the exercise by the Chairman of the Commission of the powers
2 granted under § 9–662 of this subtitle.

3 (b) (1) The Commission **SHALL**[may] regulate fees and other charges for
4 medical
5 services or treatment under this subtitle.

5 (2) (i) **The Commission shall regulate fees and other
6 CHARGES FOR THE REIMBURSEMENT OF PRESCRIPTION DRUGS AND
7 PHARMACEUTICAL SERVICES UNDER THIS SUBTITLE.**

8 (ii) **Reimbursement under subparagraph (i) of this
9 PARAGRAPH SHALL BE DETERMINED BY THE MEDICAL FEE GUIDE COMMITTEE IN
10 CONSULTATION WITH ALL RELEVANT STAKEHOLDERS USING A STATE BY STATE
11 COMPARISON OF PRESCRIPTION DRUG REIMBURSEMENT MODELS, INCLUDING
12 AVERAGE WHOLESALE PRICE, AND REASONABLE DISPENSING FEES TO PROVIDE
13 IMMEDIATE ACCESS TO PRESCRIPTION DRUGS FOR INJURED WORKERS
14 REGARDLESS OF THE STATUS OF ANY CLAIMS OR CONTESTED MATTERS BEFORE THE
15 WORKERS' COMPENSATION COMMISSION [LIMITED TO AN INDEX OR INDEXES BASED
16 ON ACQUISITION
17 COST, CALCULATED ON A PER UNIT BASIS, AS OF THE DATE OF DISPENSING AND MAY
18 INCLUDE REASONABLE DISPENSING FEES].**

12 (3) Each fee or other charge for medical service or treatment under this
13 subtitle is limited to the amount that prevails in the same community for similar
14 treatment
15 of an injured individual with a standard of living that is comparable to that of the covered
16 employee.

16 [(3)] (4) At least once every 2 years, the Commission shall:
17 (i) review its guide of medical and surgical fees for completeness
18 and
19 reasonableness; and
20 (ii) make appropriate revisions to the guide of medical and surgical
21 fees.

21 **SECTION 2. THE COMMISSION SHALL REPORT BACK BY DECEMBER 1, 2025, WITH ITS
22 RECOMMENDATION AND CHOICE FOR THE PRESCRIPTION DRUG REIMBURSEMENT
23 MODEL TO THE SENATE FINANCE COMMITTEE AND THE HOUSE ECONOMIC MATTERS
24 COMMITTEE.**

22 **SECTION 3 [2] . AND BE IT FURTHER ENACTED, That this Act shall take effect
23 [October] JULY 1, 2025.**