

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

Article - Insurance

15-824.

(a) (1) In this section the following words have the meanings indicated.

(2) "Authorized prescriber" has the meaning stated in § 12-101 of the Health Occupations Article.

(3) "Maintenance drug" means a drug anticipated to be required for 6 months or more to treat a chronic condition.

(b) This section applies to:

(1) insurers and nonprofit health service plans that provide coverage for drugs under health insurance policies or contracts that are delivered or issued for delivery in the State to employers or individuals on a group or individual basis; AND

(2) health maintenance organizations that provide coverage for drugs under contracts that are delivered or issued for delivery in the State to employers or individuals on a group or individual basis; and

~~(3) a health insurance contract or policy THAT provides coverage for drugs that is issued to a small employer under Subtitle 12 of this title.~~

(c) This section does not apply to an insured or enrollee who is a resident of a nursing home.

(d) (1) An entity subject to this section shall allow an insured or enrollee, if authorized by an authorized prescriber, to receive up to a ~~90-day~~ 100-DAY 90-day supply of a maintenance drug in a single dispensing of the prescription.

(2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION DO NOT APPLY TO THE FIRST PRESCRIPTION OR CHANGE IN A PRESCRIPTION FOR A MAINTENANCE DRUG THAT THE AUTHORIZED PRESCRIBER PRESCRIBES FOR THE INSURED OR ENROLLEE.

(e) Whenever an entity subject to this section increases the co-payment for a single dispensing of a prescription in a supply in excess of 30 days, the entity shall also proportionately increase the dispensing fee to the pharmacist for the prescription.

Chapter 232 of the Acts of 1997

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997. [It shall remain effective for a period of 1 year and, at the end of September 30, 1998, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1998.