

the Annotated Code of Maryland (1971 Replacement Volume and 1974 Supplement) be and it is hereby repealed and re-enacted, with amendments, to read as follows:

Article 43 - Health

42.

(a) The State Board of Health and Mental Hygiene shall (1) administer a program of comprehensive medical and other care in the State of Maryland for indigent and medically indigent persons, or either of such classes; for this purpose the Board of Health and Mental Hygiene is hereby authorized to contract with insurance companies, nonprofit health service plans, or with individuals, associations, partnerships, incorporated or unincorporated groups of physicians, CHIROPRACTORS, dentists, podiatrists, optometrists (as defined in § 372 of this article), pharmacists, hospitals, nursing homes, nurses, opticians, and other health practitioners duly licensed or certified in this State who perform services upon the prescription or referral of a physician, for the provision of care for eligible persons; contracts entered into by the Board shall be for a one-year period and may be renewed; within the provisions of the budget the said Board is hereby authorized to provide bedside nursing care for eligible persons. (2) The Board of Health and Mental Hygiene shall conduct and operate such hospitals as may be established by law and placed under the jurisdiction of the said Board of Health and Mental Hygiene for the care of persons suffering from chronic diseases.

The State Department of Health and the physicians and pharmacists services subcommittees of the Maryland medical assistance program advisory committee shall meet jointly to determine which drugs shall be listed in a formulary system; and after such meetings, the Department shall publish such formulary, which shall include those generic drugs having clinical equivalency. The above subcommittees shall take due recognition of studies and recommendations of the U.S. Food and Drug Administration and shall consult with various schools of pharmacy and such other medical and pharmacological experts as it shall deem advisable.

A reimbursement form will be used for prescribing all drugs under the Medicaid program in Maryland and it shall include the following statement: This prescription shall be filled by a generic equivalent from the State Health Department formulary, unless checked by the prescribing physician.

Unless the physician indicates otherwise on the