

as follows:

Article 43 - Health

42.

(a) (1) The [State Board] SECRETARY 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 those classes[; for].

(2) FOR this purpose [the Board of Health and Mental Hygiene is hereby authorized to] HE MAY 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]. THE CONTRACTS shall be for a one-year period and may be renewed[; within]. WITHIN the provisions of the budget the [Board is hereby] SECRETARY IS authorized to provide FOR bedside nursing care for eligible persons.

[(2)](3) The [Board] SECRETARY of Health and Mental Hygiene shall conduct and operate hospitals established by law and placed under [the] HIS jurisdiction [of the Board of Health and Mental Hygiene] for the care of persons suffering from chronic diseases.

(4) The State Department of Health AND MENTAL HYGIENE 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]. AFTER the meetings, the Department shall publish the 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 any other medical and pharmacological experts as it shall deem advisable.

(5) The form used for prescribing drugs under the medicaid program in Maryland shall include the following statement: This prescription shall be filled by a generic equivalent from the State [Health] Department OF HEALTH AND MENTAL HYGIENE formulary, unless checked by the prescribing physician.

(6) Unless the prescriber indicates otherwise on the form or on an attached signed