

15-124.3.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ENROLLEE" MEANS AN INDIVIDUAL WHO IS ENROLLED IN THE PROGRAM.

(3) "MEDICARE MODERNIZATION ACT" MEANS THE FEDERAL MEDICARE PRESCRIPTION DRUG, IMPROVEMENT, AND MODERNIZATION ACT OF 2003.

(4) "MEDICARE PART D PRESCRIPTION DRUG BENEFIT" MEANS THE PRESCRIPTION DRUG BENEFIT ESTABLISHED BY THE MEDICARE MODERNIZATION ACT UNDER PART D OF THE FEDERAL MEDICARE PROGRAM.

(5) "PRESCRIPTION DRUG PLAN" MEANS A PRIVATE HEALTH PLAN THAT PROVIDES A MEDICARE PART D PRESCRIPTION DRUG BENEFIT IN ACCORDANCE WITH THE REQUIREMENTS OF THE MEDICARE MODERNIZATION ACT.

(6) "PROGRAM" MEANS THE MEDICARE OPTION PRESCRIPTION DRUG PROGRAM ESTABLISHED UNDER THIS SECTION.

(B) THERE IS A MEDICARE OPTION PRESCRIPTION DRUG PROGRAM WITHIN THE MARYLAND MEDICAL ASSISTANCE PROGRAM.

(C) THE PURPOSE OF THE PROGRAM IS TO:

(1) ASSIST LOW-INCOME MEDICARE ELIGIBLE INDIVIDUALS TO MAKE A SEAMLESS TRANSITION TO, AND COORDINATE PRESCRIPTION DRUG COVERAGE WITH, THE MEDICARE PART D PRESCRIPTION DRUG BENEFIT; AND

(2) MINIMIZE THE COST-SHARING BURDEN ON THE INDIVIDUALS.

(D) THE PROGRAM SHALL BE ADMINISTERED AND OPERATED BY THE DEPARTMENT AS PERMITTED BY FEDERAL LAW OR WAIVER.

(E) (1) THE PROGRAM SHALL BE OPEN TO ANY INDIVIDUAL WHO:

(I) IS A RESIDENT OF THE STATE;

(II) IS A MEDICARE BENEFICIARY;

(III) IS NOT ENROLLED IN A MEDICARE ADVANTAGE PLAN OR OTHER PUBLIC OR PRIVATE INSURANCE PROGRAM, EXCEPT FOR MEDICAID AND THE MARYLAND PHARMACY ASSISTANCE PROGRAM, THAT PROVIDES PRESCRIPTION DRUG BENEFITS AT THE TIME THAT THE INDIVIDUAL APPLIES FOR ENROLLMENT IN THE PROGRAM;

(IV) HAS AN ANNUAL HOUSEHOLD INCOME BELOW 150 PERCENT OF THE FEDERAL POVERTY LEVEL; AND

(V) MEETS THE ASSET TEST ESTABLISHED BY THE MEDICARE MODERNIZATION ACT UNDER MEDICARE PART D.