

SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding the effective date of the changes to the Senior Prescription Drug Program, as enacted by Sections 1 and 3 of this Act, the Board of Directors of the Maryland Health Insurance Plan, subject to the limitation on Program funding enacted by Section 1 of this Act, may extend until February 1, 2006, the full benefits of the Program, as the benefits existed prior to the availability of prescription drug benefits provided by Medicare Part D, to Program enrollees.

SECTION 6. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Medicare Option Prescription Drug Program established under Section 3 of this Act be the payer of last resort and only cover costs for enrollees that are not covered under Part D of the federal Medicare program.

~~SECTION 3. 7.~~ AND BE IT FURTHER ENACTED, That ~~Section 4~~ Sections 1 and 2 of this Act shall take effect on the later of January 1, 2006 or the availability of prescription drug benefits provided by Medicare Part D under Title XVIII of the Social Security Act, as amended. The Secretary of Health and Mental Hygiene shall notify the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401 no later than December 15, 2005 regarding the availability on January 1, 2006 of prescription drug benefits provided by Medicare Part D and, if prescription drug benefits provided by Medicare Part D are not available on January 1, 2006, the Secretary of Health and Mental Hygiene shall notify the Department of Legislative Services no later than 15 days before the prescription drug benefits are to become available.

~~SECTION 4. 8.~~ AND BE IT FURTHER ENACTED, That, ~~subject to the provisions of~~ except as provided in Section ~~3~~ 7 of this Act, this Act shall take effect July 1, 2005.

Approved May 10, 2005.

CHAPTER 283

(Senate Bill 47)

AN ACT concerning

~~Criminal Law - Assault Against a Law Enforcement Officer - Penalties~~
Law Enforcement Officer Protection Act

FOR the purpose of establishing the crime of assault against a certain law enforcement officer as an assault in the second degree; prohibiting a person from intentionally causing ~~or attempting to cause~~ physical injury to another ~~person~~ knowing or having reason to know that the other ~~person~~ is a certain law enforcement officer engaged in the performance of certain duties; providing that the District Court has jurisdiction that is concurrent with a circuit court in certain criminal cases involving assault against certain law enforcement officers; establishing certain penalties; defining certain terms; and generally relating to assault against certain law enforcement officers.