

~~(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.~~

~~(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 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.~~

~~(f) AN ENTITY SUBJECT TO THIS SECTION MAY NOT LIMIT THE PURCHASE OF A 90-DAY SUPPLY OF A MAINTENANCE DRUG TO PURCHASE THROUGH A MAIL ORDER PHARMACY, BUT MAY ESTABLISH COST SHARING FOR RETAIL PURCHASE OF A MAINTENANCE DRUG THAT DIFFERS FROM COST SHARING FOR MAIL ORDER PURCHASE OF A MAINTENANCE DRUG.~~

(a) The Maryland Insurance Administration and the Maryland Health Care Commission, in consultation with the Maryland Board of Pharmacy, shall study:

(1) the utilization of mail order service for purchasing a 90-day supply of maintenance drugs;

(2) the cost savings to consumers who elect to use mail order service for purchasing a 90-day supply of maintenance drugs;

(3) the financial impact of any increased utilization of mail order service for purchases of a 90-day supply of maintenance drugs on retail pharmacies in the State; and

(4) whether consumers find it convenient to use mail order service for the purchase of maintenance prescription drugs.

(b) On or before December 31, 2005, the Maryland Insurance Administration and the Maryland Health Care Commission shall report to the Governor and, in accordance with § 2-1246 of the State Government Article, to the General Assembly on the findings of the study required under paragraph (a) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October 1~~ July 1, 2005.