

(ii) for any other benefit under this section, if no individual is eligible under item (1) or (2) of this subsection, to the decedent's surviving parent; or

(4) if no individual is eligible under item (1), (2), or (3) of this subsection, to the decedent's estate.

[(g)](H) Payments under this section shall be made out of money that the Governor includes for that purpose in the State budget.

[(h)](I) A person aggrieved by a final decision of the Secretary of Public Safety and Correctional Services under this section may seek judicial review as provided for review of final decisions in Title 10, Subtitle 2 of the State Government Article.

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

Approved May 10, 2005.

CHAPTER 428

(House Bill 1287)

AN ACT concerning

Maryland Rx Program

FOR the purpose of requiring the Department of ~~Health and Mental Hygiene~~ Budget and Management to establish a Maryland Rx Program to achieve savings on the cost of prescription drugs for the State Employee and Retiree Health and Welfare Benefits Program and certain entities; requiring the Maryland Rx Program to make prescription drugs available at reduced cost ~~seek savings through certain means~~; requiring the Maryland Rx Program to be the prescription drug benefit plan for enrollees of the State Employee and Retiree Health and Welfare Benefits Program and offer prescription drug benefits to certain persons; requiring the Department to develop a preferred list of covered prescription drugs using a certain analysis; requiring, with a certain exception, persons participating in the Maryland Rx Program to bear a certain cost requiring each entity that participates in the Maryland Rx Program to be responsible for the cost of drugs purchased by or on behalf of the entity; requiring the cost of drugs purchased by or on behalf of the State Employee and Retiree Health and Welfare Benefits Program to be paid in accordance with the State budget and certain provisions of law; authorizing the State to provide start-up funds for the Maryland Rx Program and recoup any start-up funds from certain savings; authorizing the Department to charge a certain fee and contract with certain entities; requiring the Department to consider contracting with a nonprofit entity under certain circumstances; requiring the Department to adopt certain regulations; defining ~~certain terms~~ a certain term; providing for