

BY adding to

Article – Health – General
Section 19–706(ddd)
Annotated Code of Maryland
(2000 Replacement Volume and 2004 Supplement)

BY adding to

Article – Insurance
Section 15–131
Annotated Code of Maryland
(2002 Replacement Volume and 2004 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

19–706.

(DDD) THE PROVISIONS OF § 15–131 OF THE INSURANCE ARTICLE APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.

Article – Insurance

15–131.

(A) THIS SECTION APPLIES TO:

(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT PROVIDE, DIRECTLY OR THROUGH A PHARMACY BENEFIT MANAGER, COVERAGE FOR PRESCRIPTION DRUGS UNDER HEALTH INSURANCE POLICIES OR CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE; AND

(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE, DIRECTLY OR THROUGH A PHARMACY BENEFIT MANAGER, COVERAGE FOR PRESCRIPTION DRUGS UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

(B) IF AN ENTITY SUBJECT TO THIS SECTION REQUIRES A PHARMACY TO SUBMIT A REQUEST FOR PAYMENT ELECTRONICALLY, THEN THE PHARMACY OR DESIGNATED AGENT MAY CHOOSE TO BE REIMBURSED ELECTRONICALLY, AND IN THAT EVENT THE ENTITY SHALL REIMBURSE THE PHARMACY ELECTRONICALLY, AND SHALL PROVIDE THE APPROPRIATE PAYMENT DATA ELECTRONICALLY.

(C) AN ENTITY SUBJECT TO THIS SECTION MAY NOT IMPOSE A PROCESSING FEE FOR THE ELECTRONIC REIMBURSEMENT OR FOR PROVIDING PAYMENT DATA ELECTRONICALLY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, ~~2005~~ 2006.

May 20, 2005
