

WILLIAM DONALD SCHAEFER, Governor

(b) (C) Notwithstanding the provisions of subsection (a) of this section or any other provision of this article, a group or blanket health insurance policy may not contain nonduplication provisions or provisions to coordinate coverage with any individually underwritten and issued, guaranteed renewable, specified disease policy, as defined in § 468H of this article, ~~OR ANY INDIVIDUALLY UNDERWRITTEN AND ISSUED, GUARANTEED RENEWABLE, LIMITED-BENEFIT-HOSPITAL-INDEMNITY-POLICY OR INTENSIVE CARE POLICY,~~ which ~~does~~ not provide benefits on an expense-incurred basis.

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

(2) "AUTHORIZED PRESCRIBER" MEANS ANY LICENSED DENTIST, LICENSED PHYSICIAN, OR LICENSED PODIATRIST AUTHORIZED UNDER THE HEALTH OCCUPATIONS ARTICLE TO PRESCRIBE A PHARMACEUTICAL PRODUCT.

(3) "PHARMACEUTICAL PRODUCT" MEANS A DRUG OR A MEDICINE THAT MAY BE PRESCRIBED BY AN AUTHORIZED PRESCRIBER.

(B) A CONTRACT OR POLICY ISSUED OR DELIVERED IN THIS STATE TO AN EMPLOYER OR INDIVIDUAL BY AN INSURER OR NONPROFIT HEALTH SERVICE PLAN THAT PROVIDES GROUP OR INDIVIDUAL HOSPITAL, MEDICAL, OR SURGICAL BENEFITS AND THAT PROVIDES REIMBURSEMENT FOR ANY PHARMACEUTICAL PRODUCT PRESCRIBED BY AN AUTHORIZED PRESCRIBER MAY NOT ESTABLISH THE AMOUNT OF REIMBURSEMENT TO THE INSURED OR THE INSURED'S BENEFICIARY, INCLUDING COPAYMENTS AND DEDUCTIBLES, ON THE BASIS OF THE IDENTITY, THE PRACTICING SPECIALTY, OR THE OCCUPATION OF THE AUTHORIZED PRESCRIBER.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

May 25, 1989

The Honorable R. Clayton Mitchell, Jr.
Speaker of the House of Delegates
State House
Annapolis, Maryland 21401

Dear Mr. Speaker: