

(d) (1) The Secretary of Health and Mental Hygiene shall appoint a panel of medical experts to review off-label uses of drugs not included in any of the standard reference compendia or in the medical literature and to advise the Secretary whether a particular off-label use is medically appropriate.

(2) The panel shall consist of:

(i) Three medical oncologists chosen by the State Medical Oncology Association;

(ii) Two specialists in the management of AIDS patients chosen by the State AIDS Medical Provider Organizations;

(iii) One specialist in heart disease appointed by the University of Maryland Medical System; and

(iv) One physician chosen by the State Medical Association.

(3) The panel shall make recommendations from time to time and whenever a particular dispute about payment for off-label use is brought to the Secretary of Health and Mental Hygiene.

(4) WITHIN 30 DAYS OF THE PANEL'S DECISION, THE SECRETARY SHALL SUBMIT A WRITTEN REPORT ON THE RECOMMENDATIONS TO THE COMMISSIONER.

(e) This section may not be construed to:

(1) Alter existing law with regard to provisions limiting the coverage of drugs that have not been approved by the federal Food and Drug Administration;

(2) Require coverage for any drug when the federal Food and Drug Administration has determined its use to be contra-indicated; or

(3) Require coverage for experimental drugs not otherwise approved for any indication by the federal Food and Drug Administration.

Article - Health - General

19-706.

(i) The provisions of Article 48A, [§ 490U] §§ 490U AND 490AA of the Code shall apply to health maintenance organizations.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995:

Approved May 9, 1995.