

(2) THE PANEL CONSISTS 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 MEDICAL AND CHIRURGICAL FACULTY.

(3) THE PANEL SHALL MAKE RECOMMENDATIONS PERIODICALLY AND WHENEVER THE SECRETARY OF HEALTH AND MENTAL HYGIENE IS NOTIFIED OF A PARTICULAR DISPUTE ABOUT PAYMENT FOR AN OFF-LABEL USE OF A DRUG.

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

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 48A, § 490AA.

In subsection (c)(1) of this section, the reference to "a contract issued by" a health maintenance organization is added to clarify the applicability of subsection (c) of this section.

In subsection (c)(2) of this section, the reference to excluding coverage of a drug for an "off-label use" of the drug is substituted for the former reference to excluding coverage of a drug for "a particular indication on the ground that the drug has not been approved by the federal Food and Drug Administration for that indication" for brevity and to use the defined term. Consequently, the former reference to a drug recognized for treatment "of the indication" is deleted as surplusage.

In subsection (e)(2)(iv) of this section, the reference to the "Medical and Chirurgical Faculty" is substituted for the former reference to the "State Medical Association" to reflect the current name of the organization.

In subsection (e)(3) of this section, the reference to making recommendations whenever the Secretary of Health and Mental Hygiene "is notified of" a particular dispute is substituted for the former reference to making recommendations whenever a particular dispute "is brought to" the Secretary of Health and Mental Hygiene for clarity.

In subsection (e)(4) of this section, the reference to the panel's "recommendations" is substituted for the former reference to the panel's "decision" for consistency within subsection (e) of this section.