

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect on or application to any suit, action, or proceeding for back rent before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1999.

Approved May 27, 1999.

CHAPTER 676

(House Bill 980)

AN ACT concerning

~~Insurance — Pharmaceutical Benefits — Patients' Rights~~
Health Maintenance Organizations — Formulary Development Process —
Accreditation Status

FOR the purpose of requiring certain health insurance carriers to establish and implement a procedure by which a member may receive a prescription drug that is not in a carrier's formulary under certain circumstances; providing that a member may not be required to pay any fee or copayment for the prescription drug other than that required for a prescription drug in the carrier's formulary; requiring certain health insurance carriers to give a certain notice to certain members before substituting another prescription drug for a prescription drug in its formulary under certain circumstances; prohibiting certain health insurance carriers from limiting or excluding coverage for certain prescription drugs under certain circumstances; requiring certain health insurance carriers to provide coverage for certain new prescription drugs for a certain period of time under certain circumstances; requiring the Maryland Health Care Access and Cost Commission to develop and implement a certain rating system for certain prescription drug coverage plans; requiring the Commission to establish a certain consumer advisory panel to advise the Commission in developing and implementing the rating system; specifying the composition of the panel; requiring certain health insurance carriers to include certain information about the rating system in any documents that describe a prescription drug coverage plan offered by a carrier and that are provided to employers or members; requiring certain health insurance carriers to include certain information in certain documents provided to members; defining certain terms; providing for the application of this Act; and generally relating to prescription drug coverage the Maryland Health Care Access and Cost Commission to include in a certain annual evaluation information regarding whether the formulary development process of certain health maintenance organizations meets certain accreditation standards; making a certain stylistic change; and generally relating to the publication of quality of care and performance measurements of health maintenance organizations.