

15-124.1.

(A) THERE IS A MARYLAND PHARMACY DISCOUNT PROGRAM WITHIN THE MARYLAND MEDICAL ASSISTANCE PROGRAM.

(B) THE PURPOSE OF THE MARYLAND PHARMACY DISCOUNT PROGRAM IS TO IMPROVE THE HEALTH STATUS OF MEDICARE ENROLLEES AND CERTAIN UNINSURED INDIVIDUALS WHO LACK PRESCRIPTION DRUG COVERAGE BY PROVIDING ACCESS TO LOWER COST, MEDICALLY NECESSARY PRESCRIPTION DRUGS.

(C) THE MARYLAND PHARMACY DISCOUNT PROGRAM SHALL BE ADMINISTERED AND OPERATED BY THE DEPARTMENT AS PERMITTED BY FEDERAL LAW OR WAIVER.

(D) THE MARYLAND PHARMACY DISCOUNT PROGRAM SHALL BE OPEN TO:

(1) MEDICARE ENROLLEES WHO ARE WITHOUT OTHER PUBLIC OR PRIVATE PRESCRIPTION DRUG COVERAGE; AND

(2) OTHER INDIVIDUALS WHO:

(1) HAVE AN ANNUAL HOUSEHOLD INCOME AT OR BELOW 200 PERCENT OF THE FEDERAL POVERTY GUIDELINES; AND

(H) DO NOT HAVE OTHER PUBLIC OR PRIVATE PRESCRIPTION DRUG COVERAGE.

(E) (1) ENROLLEES OF THE MARYLAND PHARMACY DISCOUNT PROGRAM SHALL BE ENTITLED TO PURCHASE MEDICALLY NECESSARY PRESCRIPTION DRUGS FROM ANY PHARMACY THAT PARTICIPATES IN THE MARYLAND MEDICAL ASSISTANCE PROGRAM AT A PRICE THAT IS EQUAL TO BASED ON THE PRICE PAID BY THE MARYLAND MEDICAL ASSISTANCE PROGRAM, MINUS AMOUNTS ATTRIBUTABLE TO ANY FEDERALLY MANDATED MANUFACTURERS' REBATES.

(2) THE DEPARTMENT MAY ESTABLISH A MECHANISM TO RECOVER THE ADMINISTRATIVE COSTS OF THE MARYLAND PHARMACY DISCOUNT PROGRAM.

(F) NOTWITHSTANDING SUBSECTION (D) OF THIS SECTION, AN INDIVIDUAL WHO MEETS THE OTHER ELIGIBILITY CRITERIA ESTABLISHED UNDER THIS SECTION AND ANY REGULATIONS ADOPTED IN ACCORDANCE WITH THIS SECTION MAY ENROLL IN THE MARYLAND PHARMACY DISCOUNT PROGRAM, IF THE INDIVIDUAL IS OR HAS BEEN:

(1) ENROLLED IN THE MARYLAND PHARMACY ASSISTANCE PROGRAM ESTABLISHED UNDER § 15-124 OF THIS SUBTITLE; OR

(2) A BENEFICIARY OF A FREE OR SUBSIDIZED PRESCRIPTION DRUG PROGRAM FACILITATED THROUGH THE MARYLAND HEALTH CARE FOUNDATION.