

~~WHEREAS, Legislation introduced during the 2002 Session of the Maryland General Assembly prohibiting the Department of Health and Mental Hygiene from establishing prior authorization requirements or restricting coverage for medications used to treat mental illnesses and brain disorders in the Maryland Medical Assistance Program passed the Maryland House of Delegates and the Senate of Maryland; now, therefore,~~

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

~~15-101.~~

~~(a) In this title the following words have the meanings indicated:~~

~~(i) "Program" means the Maryland Medical Assistance Program.~~

~~15-118.1.~~

~~(A) (1) THIS SECTION DOES NOT APPLY TO DRUGS COVERED BY MANAGED CARE ORGANIZATIONS UNDER § 15-103 OF THIS SUBTITLE.~~

~~(2) THIS SECTION APPLIES TO THE MARYLAND PHARMACY ASSISTANCE PROGRAM DEVELOPED UNDER § 15-124 OF THIS SUBTITLE, THE MARYLAND PHARMACY DISCOUNT PROGRAM DEVELOPED UNDER § 15-124.1 OF THIS SUBTITLE, AND ANY OTHER PHARMACY ASSISTANCE PROGRAM DEVELOPED BY THE DEPARTMENT.~~

~~(B) THE DEPARTMENT MAY NOT ESTABLISH PRIOR AUTHORIZATION REQUIREMENTS OR RESTRICT COVERAGE FOR DRUGS USED TO TREAT MENTAL ILLNESS AND BRAIN DISORDERS, INCLUDING:~~

~~(1) ATYPICAL ANTIPSYCHOTIC MEDICATIONS;~~

~~(2) CONVENTIONAL ANTIPSYCHOTIC MEDICATIONS;~~

~~(3) ACTIVE SEROTONIN RE UPTAKE INHIBITORS;~~

~~(4) ATYPICAL ANTIDEPRESSANTS; AND~~

~~(5) DRUGS TO TREAT EPILEPSY AND OTHER CENTRAL NERVOUS SYSTEM BRAIN DISORDERS.~~

~~(C) THE DEPARTMENT SHALL CONSIDER:~~

~~(1) IMPLEMENTATION OF A QUALITY IMPROVEMENT PROGRAM ON PSYCHIATRIC DRUG COSTS THAT ADDRESSES POLYPHARMACY AND PRESCRIBING PATTERNS; AND~~

~~(2) PHYSICIAN EDUCATION INITIATIVES ON PSYCHIATRIC DRUG COSTS, INCLUDING AN ANNUAL CIRCULATION OF A DRUG PRICING LIST TO PHYSICIANS PARTICIPATING IN THE PROGRAM.~~