

Article - Health - General

15-124.

(b) (1) (i) Reimbursement under the Maryland Pharmacy Assistance Program [shall] MAY be limited to maintenance drugs, anti-infectives, and AZT as specified in regulations to be issued by the Secretary after consultation with the Maryland Pharmacists Association.

(ii) 1. For any drug on the Program's interchangeable drug list, the Program shall reimburse providers in an amount not more than it would reimburse for the drug's generic equivalent, unless the individual's physician states, in his or her own handwriting, on the face of the prescription, that a specific brand is "medically necessary" for the particular patient.

2. If an appropriate generic drug is not generally available, the Department may waive the reimbursement requirement under sub-subparagraph 1 of this subparagraph.

Chapter 702 of the Acts of 2001

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) The Department of Health and Mental Hygiene shall:

(1) establish a process to annually set the fee-for-service reimbursement rates for the Maryland Medical Assistance Program and the Maryland Children's Health Program in a manner that ensures participation of providers; and

(2) in developing the process required under item (1) of this subsection, consider ~~AND THAT REFLECTS~~ CONSIDERS:

~~(i) (1) a reimbursement system that reflects~~ reimbursement fee-for-service rates paid in the community as well as annual medical inflation; or

~~(ii) (2) the CURRENT Resource Based Relative Value Scale system used in the federal Medicare program or THE American Dental Association CPT-3 CDT-3 Codes.~~

(b) On or before ~~[September 1, 2001]~~ SEPTEMBER 1 OF EACH YEAR, the Department shall submit a report to the Governor and, in accordance with § 2-1246 of the State Government Article, to the Senate Finance Committee, the Senate Budget and Taxation Committee, the House Environmental Matters Committee, and the House Appropriations Committee on:

(1) its progress in complying with subsection (a) of this section;

(2) an analysis of the fee-for-service reimbursement rates paid in other states and how those rates compare with those in Maryland;