

1. The percentage by which benefits under Title II of the Social Security Act (42 USC 401-433) are increased by the federal government due to cost-of-living changes as that percentage is reported in the Federal Register pursuant to 42 USC 415 (i)(2)(d) but not to exceed 8 percent; or

2. The dollar amount by which the medical assistance income schedules are increased by the State.

(b) (1) ~~[The] BEGINNING JUNE 1, 1991, REIMBURSEMENT UNDER THE Maryland Pharmacy Assistance Program [shall reimburse providers for those kinds of items and services that are covered by the pharmacy program of the Maryland Medical Assistance Program.] SHALL BE LIMITED TO MAINTENANCE DRUGS, ANTIBIOTICS ANTI-INFECTIVES, AND AZT AS SPECIFIED IN REGULATIONS TO BE ISSUED BY THE SECRETARY AFTER CONSULTATION WITH THE MARYLAND PHARMACISTS ASSOCIATION.~~ [However, for] 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) The reimbursement shall be up to the amount paid for the same items or services under the pharmacy program of the Maryland Medical Assistance Program and ~~BEGINNING JUNE 1, 1991,~~ SHALL BE subject to a copayment of not more than ~~[\$1.50] \$5.00~~ for each covered item or service.

(c) (1) The Secretary shall adopt rules and regulations that authorize the denial, restriction, or termination of eligibility for recipients who have abused benefits under the Maryland Pharmacy Assistance Program.

(2) As a condition of participation, the Department may require Maryland Pharmacy Assistance Program participants to apply for eligibility in the Maryland Medical Assistance Program within 60 days of notification to do so by the Department.

(3) The rules and regulations shall require that the recipient be given notice and an opportunity for a hearing before eligibility may be denied, restricted, or terminated under this subsection.

~~SECTION 2. AND BE IT FURTHER ENACTED, That the changes made by this Act to Section 15-124(b) of the Health - General Article shall take effect June 1, 1991.~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That, subject to Section 2 of this Act, this Act shall take effect July 1, 1991.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the changes made by this Act to § 15-124(b) of the Health - General Article may not be implemented before April 1, 1991.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by the ye and nay vote supported by three-fifths of the members elected to