

HOUSE BILL 1290

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5r3118
CF 5r3125

By: **Delegates Adams, Anderton, Fisher, Hornberger, Jacobs, Mautz, and Otto**

Rules suspended

Introduced and read first time: March 23, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Managed Care Organizations – Enrollees Access to Pharmacy Services –**
3 **Requirements**

4 FOR the purpose of requiring a managed care organization to develop and maintain a
5 provider network that ensures that enrollees have access to sites where they receive
6 pharmacy services within a certain geographical area of each enrollee's residence;
7 authorizing the Department of Health and Mental Hygiene to approve a provider
8 network that does not meet a certain geographic access requirement for pharmacy
9 services under certain circumstances; and generally relating to geographic access to
10 pharmacy services of enrollees of managed care organizations.

11 BY repealing and reenacting, without amendments,
12 Article – Health – General
13 Section 15–103(a)(1) and (b)(1)
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2014 Supplement)

16 BY adding to
17 Article – Health – General
18 Section 15–103(b)(31)
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2014 Supplement)

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

23 **Article – Health – General**

24 15–103.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) (1) The Secretary shall administer the Maryland Medical Assistance
2 Program.

3 (b) (1) As permitted by federal law or waiver, the Secretary may establish a
4 program under which Program recipients are required to enroll in managed care
5 organizations.

6 **(31) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
7 **PARAGRAPH, EACH MANAGED CARE ORGANIZATION SHALL DEVELOP AND MAINTAIN**
8 **A PROVIDER NETWORK THAT ENSURES THAT ENROLLEES HAVE ACCESS TO THE**
9 **SITES WHERE THEY RECEIVE PHARMACY SERVICES AS FOLLOWS:**

10 1. IN URBAN AREAS, WITHIN 5 MILES OF EACH
11 ENROLLEE'S RESIDENCE;

12 2. IN RURAL AREAS, WITHIN 15 MILES OF EACH
13 ENROLLEE'S RESIDENCE; AND

14 3. IN SUBURBAN AREAS, WITHIN 10 MILES OF EACH
15 ENROLLEE'S RESIDENCE.

16 **(II) FOR A MANAGED CARE ORGANIZATION THAT IS UNABLE TO**
17 **MEET THE REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH, IF THE**
18 **MANAGED CARE ORGANIZATION IS ABLE TO DEMONSTRATE TO THE DEPARTMENT'S**
19 **SATISFACTION THE ADEQUACY OF ITS PROVIDER NETWORK TO PROVIDE**
20 **ENROLLEES ACCESS TO THE SITES WHERE THEY RECEIVE PHARMACY SERVICES,**
21 **THE DEPARTMENT MAY APPROVE THE NETWORK IF:**

22 1. SPECIAL CIRCUMSTANCES EXIST THAT
23 DEMONSTRATE THE STRENGTH OF THE MANAGED CARE ORGANIZATION'S PROVIDER
24 NETWORK; AND

25 2. APPROVAL OF THE NETWORK BY THE DEPARTMENT
26 WILL ENHANCE THE OVERALL ACCESS OF ENROLLEES TO QUALITY PHARMACY
27 SERVICES IN THE AREA TO BE SERVED.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
29 1, 2015.