

# SENATE BILL 247

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CF HB 174

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By: **Senator Klausmeier**

Introduced and read first time: January 18, 2013

Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Workers' Compensation – Payment for Physician–Dispensed Prescriptions –**  
3 **Limitations**

4 FOR the purpose of prohibiting employers or their insurers, except under certain  
5 circumstances, from being required to pay for a prescription that is dispensed by  
6 a physician to certain covered employees; and generally relating to payment for  
7 prescriptions dispensed by physicians to covered employees.

8 BY repealing and reenacting, with amendments,  
9 Article – Labor and Employment  
10 Section 9–660  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2012 Supplement)

13 BY adding to  
14 Article – Labor and Employment  
15 Section 9–660.1  
16 Annotated Code of Maryland  
17 (2008 Replacement Volume and 2012 Supplement)

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

20 **Article – Labor and Employment**

21 9–660.

22 (a) In addition to the compensation provided under this subtitle **AND**  
23 **EXCEPT AS PROVIDED IN § 9–660.1 OF THIS SUBTITLE**, if a covered employee has  
24 suffered an accidental personal injury, compensable hernia, or occupational disease

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 the employer or its insurer promptly shall provide to the covered employee, as the  
2 Commission may require:

- 3 (1) medical, surgical, or other attendance or treatment;
- 4 (2) hospital and nursing services;
- 5 (3) medicine;
- 6 (4) crutches and other apparatus; and
- 7 (5) artificial arms, feet, hands, and legs and other prosthetic  
8 appliances.

9 (b) The employer or its insurer shall provide the medical services and  
10 treatment required under subsection (a) of this section for the period required by the  
11 nature of the accidental personal injury, compensable hernia, or occupational disease.

12 (c) Except as provided in § 9-736(b) and (c) of this title, any award or order  
13 of the Commission under this section may not be construed to:

- 14 (1) reopen any case; or
- 15 (2) allow any previous award to be changed.

16 **9-660.1.**

17 **AN EMPLOYER OR ITS INSURER MAY NOT BE REQUIRED TO PAY FOR A**  
18 **PRESCRIPTION THAT IS DISPENSED BY A PHYSICIAN TO A COVERED EMPLOYEE**  
19 **WHO HAS SUFFERED AN ACCIDENTAL PERSONAL INJURY, COMPENSABLE**  
20 **HERNIA, OR OCCUPATIONAL DISEASE UNLESS THE PRESCRIPTION WAS:**

21 **(1) DISPENSED WITHIN 72 HOURS AFTER THE ACCIDENTAL**  
22 **PERSONAL INJURY OR COMPENSABLE HERNIA OCCURRED OR THE**  
23 **OCCUPATIONAL DISEASE WAS DISCOVERED; AND**

24 **(2) LIMITED TO NO MORE THAN A 30-DAY SUPPLY OF THE**  
25 **MEDICATION.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2013.