

HOUSE BILL 887

C3, J1

7lr2395

By: **Delegates Pena–Melnik, Angel, Barron, Kelly, McMillan, and Tarlau**
Introduced and read first time: February 6, 2017
Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Preauthorization for Drug Products to Treat Substance Use**
3 **Disorders – Prohibition**

4 FOR the purpose of prohibiting certain insurers, nonprofit health service plans, and health
5 maintenance organizations from applying a preauthorization requirement for
6 certain drug products; providing for the application of this Act; providing for a
7 delayed effective date; and generally relating to health insurance coverage for drug
8 products to treat substance use disorders.

9 BY adding to
10 Article – Insurance
11 Section 15–850
12 Annotated Code of Maryland
13 (2011 Replacement Volume and 2016 Supplement)

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

16 **Article – Insurance**

17 **15–850.**

18 **(A) (1) THIS SECTION APPLIES TO:**

19 **(I) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT**
20 **PROVIDE COVERAGE FOR PRESCRIPTION DRUGS UNDER INDIVIDUAL, GROUP, OR**
21 **BLANKET HEALTH INSURANCE POLICIES OR CONTRACTS THAT ARE ISSUED OR**
22 **DELIVERED IN THE STATE; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(II) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE**
2 **COVERAGE FOR PRESCRIPTION DRUGS UNDER INDIVIDUAL OR GROUP CONTRACTS**
3 **THAT ARE ISSUED OR DELIVERED IN THE STATE.**

4 **(2) AN INSURER, A NONPROFIT HEALTH SERVICE PLAN, OR A HEALTH**
5 **MAINTENANCE ORGANIZATION THAT PROVIDES COVERAGE FOR PRESCRIPTION**
6 **DRUGS THROUGH A PHARMACY BENEFITS MANAGER IS SUBJECT TO THE**
7 **REQUIREMENTS OF THIS SECTION.**

8 **(B) AN ENTITY SUBJECT TO THIS SECTION MAY NOT APPLY A PRIOR**
9 **AUTHORIZATION REQUIREMENT FOR METHADONE, BUPRENORPHINE, OR**
10 **INJECTABLE NALTREXONE.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
12 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
13 after January 1, 2018.

14 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 January 1, 2018.