

# HOUSE BILL 1015

J5

2lr2473

---

By: **Delegates K. Young and Krebs**

Introduced and read first time: February 10, 2022

Assigned to: Health and Government Operations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Pharmacy Benefits Managers – Prohibitions Related to Reimbursement and Use**  
3 **of Specific Pharmacy Requirement – Application**

4 FOR the purpose of repealing the authority of certain pharmacy benefits managers to  
5 require a beneficiary to use a specific pharmacy or entity for a specialty drug; altering  
6 the application of the prohibition on certain pharmacy benefits managers  
7 reimbursing a pharmacy or pharmacist in an amount less than the amount that the  
8 pharmacy benefits manager reimburses itself or an affiliate for providing the same  
9 product or service; and generally relating to pharmacy benefits managers.

10 BY repealing and reenacting, with amendments,  
11 Article – Insurance  
12 Section 15–1611.1 and 15–1612  
13 Annotated Code of Maryland  
14 (2017 Replacement Volume and 2021 Supplement)

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

17 **Article – Insurance**

18 15–1611.1.

19 (a) This section applies only to a pharmacy benefits manager that provides  
20 pharmacy benefits management services on behalf of a carrier.

21 (b) [Except as provided in subsection (c) of this section, a] **A** pharmacy benefits  
22 manager may not require that a beneficiary use a specific pharmacy or entity to fill a  
23 prescription if:

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) the pharmacy benefits manager or a corporate affiliate of the pharmacy  
2 benefits manager has an ownership interest in the pharmacy or entity; or

3 (2) the pharmacy or entity has an ownership interest in the pharmacy  
4 benefits manager or a corporate affiliate of the pharmacy benefits manager.

5 [(c) A pharmacy benefits manager may require a beneficiary to use a specific  
6 pharmacy or entity for a specialty drug as defined in § 15–847 of this title.]

7 15–1612.

8 (a) This section applies only to a pharmacy benefits manager that provides  
9 pharmacy benefits management services on behalf of a carrier.

10 [(b) This section does not apply to reimbursement:

11 (1) for specialty drugs;

12 (2) for mail order drugs; or

13 (3) to a chain pharmacy with more than 15 stores or a pharmacist who is  
14 an employee of the chain pharmacy.]

15 [(c) (B) A pharmacy benefits manager may not reimburse a pharmacy or  
16 pharmacist for a pharmaceutical product or pharmacist service in an amount less than the  
17 amount that the pharmacy benefits manager reimburses itself or an affiliate for providing  
18 the same product or service.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 2022.