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Date: March 9, 2023

Bill # / Title: House Bill 1151 – Health Insurance - Reimbursement for Services Rendered by a Pharmacist

Committee: House Health and Government Operations Committee

Position: Letter of Information (LOI)

The Maryland Insurance Administration (MIA) appreciates the opportunity to provide information regarding House Bill 1151.

House Bill 1151 would require carriers to cover services provided by a licensed pharmacist acting within their lawful scope of practice to the same extent as services rendered by any other licensed health care practitioner. The bill will also require carriers to reimburse a pharmacist without conditioning payment on whether a pharmacist is employed by a physician, pharmacy, or facility, allowing pharmacists to obtain direct reimbursement from carriers regardless of where they are employed.

In 2022, the MIA was required by Chapter 372 of the Acts of 2022 to establish the Pharmacist Reimbursement Workgroup with representatives of pharmacists, carriers, managed care organizations, and other stakeholders to identify options and requirements necessary for the reimbursement of pharmacists for certain services. The Workgroup culminated in a report submitted to the General Assembly in December 2022, which included recommendations for the General Assembly consider if pharmacist reimbursement legislation were to be introduced in 2023. This bill is reflective of those recommendations.

The MIA suggests clarifying the bill language, through amendment, to reflect that the intent is to require reimbursement of pharmacists for services that are covered under the contract, not to create a new mandate for services. This can be accomplished in one of two ways:

1. Revise § 15-716(a) to state: “This section applies to individual, group, or blanket health insurance policies and contracts delivered or issued for delivery in the State by insurers, nonprofit health service plans, and health maintenance organizations that provide coverage for services that are within the lawful scope of practice of a licensed pharmacist.”
2. Revise § 15-716(b) to state: “If a policy or contract subject to this section provides for reimbursement of a service that is within the lawful scope of practice of a licensed pharmacist, the insured or any other person covered by or entitled to reimbursement under the policy or contract is entitled to reimbursement for the service, regardless of whether the service is performed by a licensed pharmacist or any other licensed health care practitioner.”

The MIA believes that one of the changes above will provide needed clarity in House Bill 1151, and help ensure its intent is accurately conveyed, and therefore is appropriately enforceable.

Thank you for the opportunity to provide this letter of information. The MIA is available to provide drafting assistance or any additional information regarding these matters that might be helpful to the sponsor or the Committee.