

**House Bill 736 Health Insurance and Maryland Medical Assistance Program – Coverage – Opioid
Reversal Drugs and Products (Narcan Price Cap Act)**

House Health and Government Operations Committee

February 15, 2024

Position: SUPPORT

Mental Health Association of Maryland (MHAMD) is a nonprofit education and advocacy organization that brings together consumers, families, clinicians, advocates and concerned citizens for unified action in all aspects of mental health and substance use disorders (collectively referred to as behavioral health). We appreciate the opportunity to provide this testimony in support of House Bill 736.

HB 736 stipulates that Maryland Medicaid, insurers regulated in Maryland, and HMOs must cover non-prescription Naloxone, or any other FDA approved opioid overdose reversal medication, and they may not charge more than a \$10 copay or coinsurance for the drug.

From 2019 to 2022 Maryland lost almost 12,000 lives to opioid overdose deaths. This tragedy is largely due to the tremendous increase in the presence of the drug, fentanyl. There are numerous strategies to address the dramatic number of opioid overdose deaths, and one key tactic is to get Naloxone, an opioid overdose reversal drug, into the hands of as many people as possible. For this reason, Maryland, through a statewide standing order, made Naloxone available to anyone without a prescription.¹ People could purchase Naloxone in most pharmacies using their health insurance. Co-payments could vary, however, depending on the healthcare plan, so the drug was not always affordable to all people.

In March 2023, the FDA announced approval for nonprescription Naloxone² to be available over-the-counter, in drug stores, and also in places such as grocery stores, convenience stores, grocery stores, and gas stations, as well as online. The FDA's approval is a huge step in making Naloxone more easily available to more people – as was said, a key strategy to address the opioid overdose crisis.

Many insurers, however, do not cover over-the-counter medications, and it has been estimated that over-the-counter Naloxone will cost about \$45 for a two-dose package, making it out of reach of many people's budgets.³

¹ Naloxone is available for free to certain people in certain areas through Overdose Response Programs. Sometimes, in select cases, Naloxone may be available through the mail. Free Naloxone is not universally, nor always easily, available in Maryland.

² The Narcan© formulation.

³ NBC News. Over-the-counter Narcan to cost less than \$50 for a two-pack, company says. Accessed February 13, 2024. <https://www.nbcnews.com/health/health-news/over-counter-narcan-cost-opioid-overdose-drug-rcna80665>

HB 736 seeks to address this dilemma by requiring multiple insurers to cover over-the-counter Naloxone for no more than a \$10 copay. The bill would be a significant step in addressing the opioid overdose crisis, by making Naloxone more easily accessible to more people.

For these reasons, MHAMD supports HB 736 and urges a favorable report.