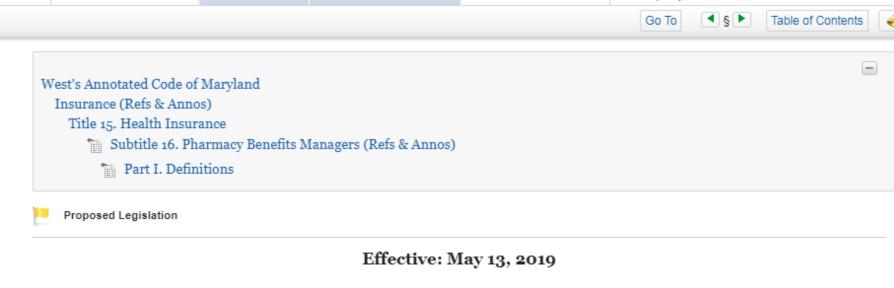
Compiling a Legislative History in Maryland

- Ann Baum
- Research and Training Coordinator
- Miles & Stockbridge
- abaum@milesstockbridge.com



MD Code, Insurance, § 15-1601

§ 15-1601. Definitions

Currentness

In general

(a) In this subtitle the following words have the meanings indicated.

Agent

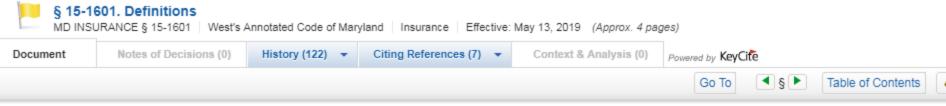
(b) "Agent" means a pharmacy, a pharmacist, a mail order pharmacy, or a nonresident pharmacy acting on behalf or at the direction of a pharmacy benefits manager.

Beneficiary

(c) "Beneficiary" means an individual who receives prescription drug coverage or benefits from a purchaser.

Compensation program

(c-1) "Compensation program" means a program, policy, or process through which sources and pricing information are used by a pharmacy benefits manager to determine the terms of payment as stated in a participating pharmacy contract.



Therapeutic interchange

- (q)(1) "Therapeutic interchange" means any change from one prescription drug to another.
 - (2) "Therapeutic interchange" does not include:
 - (i) a change initiated pursuant to a drug utilization review;
 - (ii) a change initiated for patient safety reasons;
 - (iii) a change required due to market unavailability of the currently prescribed drug;
 - (iv) a change from a brand name drug to a generic drug in accordance with § 12-504 of the Health Occupations Article; or
 - (v) a change required for coverage reasons because the originally prescribed drug is not covered by the beneficiary's formulary or plan.

Therapeutic interchange solicitation

(r) "Therapeutic interchange solicitation" means any communication by a pharmacy benefits manager for the purpose of requesting a therapeutic interchange.

Trade secret

(s) "Trade secret" has the meaning stated in § 11-1201 of the Commercial Law Article.

Credits

Added by Acts 2008, c. 201, § 1, eff. Oct. 1, 2008; Acts 2008, c. 202, § 1, eff. Oct. 1, 2008; Acts 2008, c. 203, § 1, eff. Oct. 1, 2008; Acts 2008, c. 204, § 1, eff. Oct. 1, 2008; Acts 2008, c. 206, § 1, eff. Oct. 1, 2008; Acts 2008, c. 262, § 1, eff. Oct. 1, 2008; Acts 2008, c. 279, § 1, eff. Oct. 1, 2008 Amended by Acts 2019, c. 400, § 1, eff. May 13, 2019.

MD Code, Insurance, § 15-1601, MD INSURANCE § 15-1601

INSURANCE—PHARMACY BENEFITS MANAGERS—PHARMACY AND THERAPEUTICS COMMITTEES

2008 Maryland Laws Ch. 279 (H.B. 580) (Approx. 3 pages)

Document

Bill Drafts (0)

Legislative History Materials (12)

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2008 Maryland Laws Ch. 279 (H.B. 580)

MARYLAND 2008 SESSION LAWS REGULAR SESSION

Additions are indicated by Text; deletions by Text . Changes in tables are made but not highlighted.

> Chapter 279 H.B. No. 580

INSURANCE—PHARMACY BENEFITS MANAGERS—PHARMACY AND THERAPEUTICS COMMITTEES

AN ACT concerning

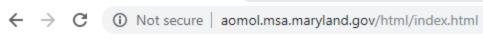
Pharmacy Benefits Managers—Pharmacy and Therapeutics Committees

FOR the purpose of establishing certain requirements for a pharmacy and therapeutics committee of a pharmacy benefits manager; requiring a pharmacy benefits manager to ensure that its pharmacy and therapeutics committee has certain policies and procedures; requiring a pharmacy benefits manager to disclose information about the composition of its pharmacy and therapeutics committee to a certain person under certain circumstances; prohibiting a pharmacy benefits manager from requiring a pharmacist to participate on its pharmacy and therapeutics committee; authorizing the Maryland Insurance Commissioner to adopt certain regulations; making certain provisions of law applicable to health maintenance organizations; defining certain terms; and generally relating to regulation of pharmacy benefits managers.

BY adding to Article—Insurance Section 15–1601 and 15–1602 to be under the new subtitle "Subtitle 16. Pharmacy Benefits Managers" Annotated Code of Maryland (2006 Replacement Volume and 2007 Supplement)

BY adding to Article—Health—General Section 19–706(ppp) Annotated Code of Maryland (2005 Replacement Volume and 2007 Supplement)

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





Westlaw PLI PLI



PACER





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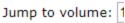


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Welcome to the Archives of Maryland Online

 $oxed{ ext{T}}$ he ongoing Maryland State Archives publication series, Archives of Maryland Online, currently provide basis of Maryland's government. Online access enables users to research such topics as Maryland's co papers, and military records. This project allows the Archives to place into electronic form and preserv disintegrating paper.

 $oxed{1}$ he Information Technology Fund of the State of Maryland provided initial funding for the online ArchDescription for additional background as well as technical details and staff.

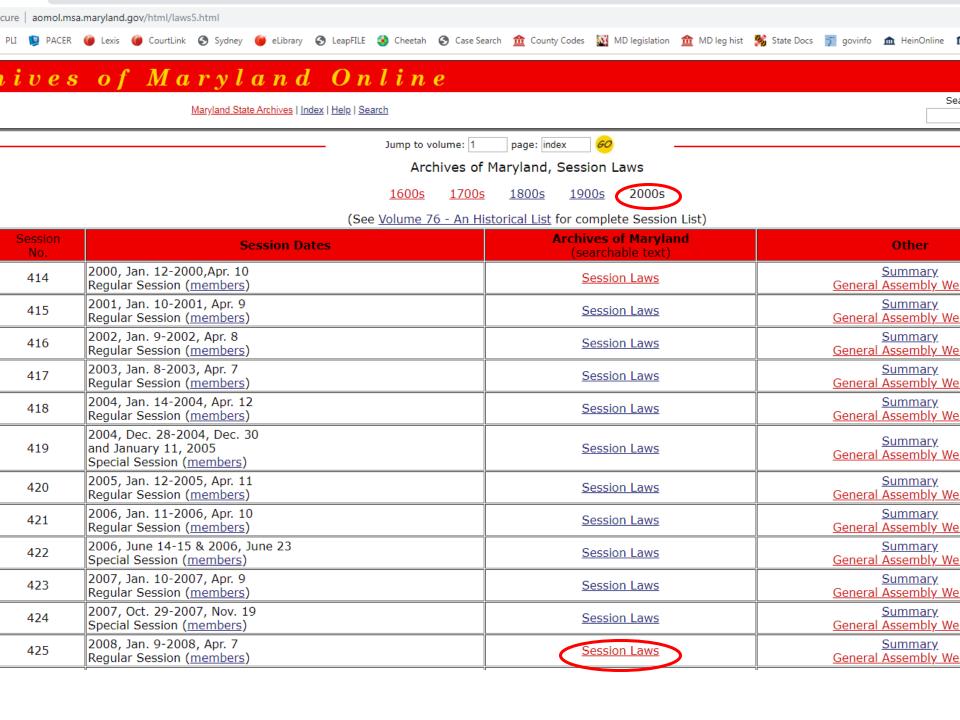
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This section of the Archives of Maryland Online provides direct links to essays and monographs that w sources contained in AOMOL.

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Jump to volume: 811 page: p1 60

Volume 811

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General Assembly

January 9, 2008 - April 7, 2008 Session Laws

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Volume 3, Chapters 279-306

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Volume 5, Chapters 392-543

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Senate Bills which were passed and approved by the Governor

House Bills which were passed and approved by the Governor

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Appendix A: Amendments to Public Local Laws of Code Counties

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Index to Amendments

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Statement of Revenues and Expenditures

aryland series was originally published in 2008. The Archives of Maryland edition was published in 200 ages with no corresponding searchable text.

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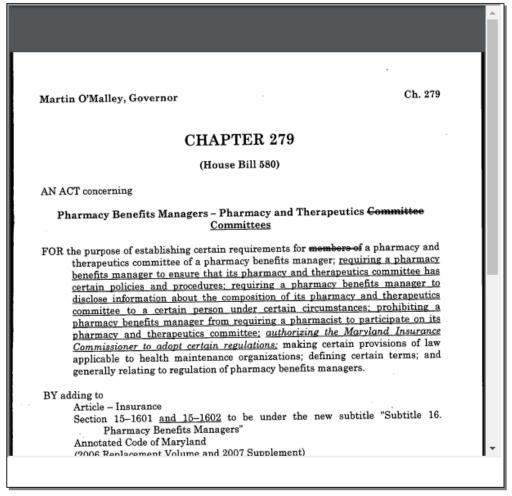
Session Laws, 2008

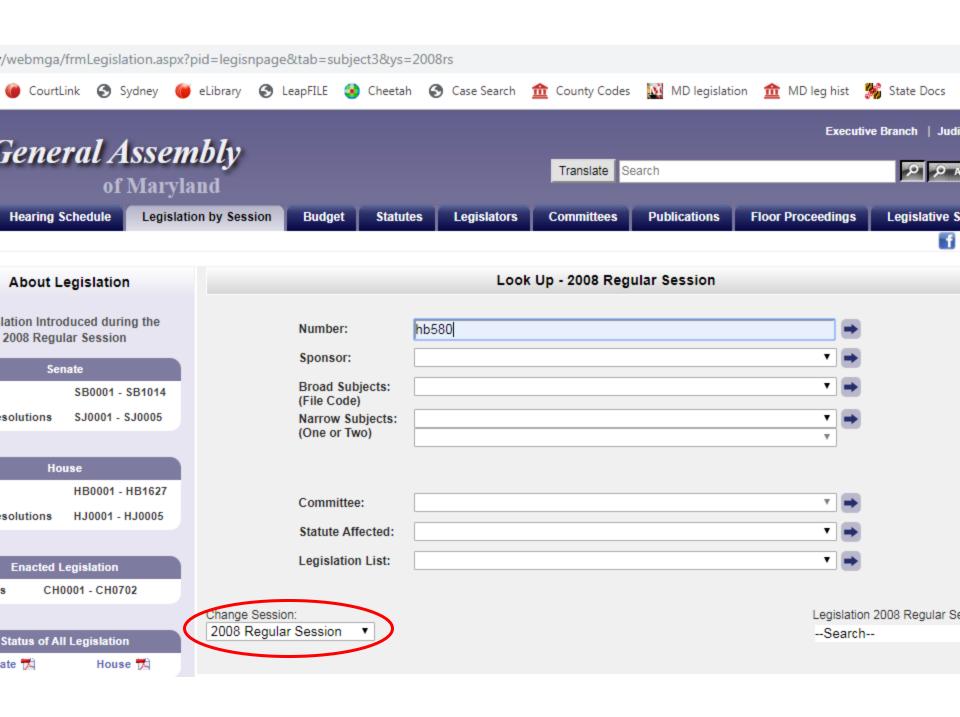
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2008 Regular Session

HOUSE BILL 580 FA

CHAPTER NUMBER: 279

File Code: Health Care Facilities and Regulation

Crossfiled with: SENATE BILL 720

Sponsored By:

Delegates Oaks, Costa, Davis, Elliott, Hammen, Hubbard, Kipke, Rudolph, Benson, Bromwell, Donoghue, Kach, McDonough, Mizeur, Montgomery, Morhaim, Nathan-Pulliam, Pena-Melnyk, Pendergrass, Reznik, Riley, V. Turner, and Weldon

Entitled:

Pharmacy Benefits Managers - Pharmacy and Therapeutics Committees

Synopsis:

Establishing requirements for a pharmacy and therapeutics committee of a pharmacy benefits manager; requiring a pharmacy benefits manager to ensure that its pharmacy and therapeutics committee has specified policies and procedures; authorizing the Maryland Insurance Commissioner to adopt regulations; making specified provisions of law applicable to health maintenance organizations; etc.

History by Legislative and Calendar Date

Legislative date is used to record history occuring in the Chambers otherwise Calendar date is used.

House Action

1/31

First Reading Health and Government Operations

Hearing 2/7 at 1:00 p.m.

3/18

Favorable with Amendments Report by Health and Government Operations

3/16

Favorable with Amendments Report Adopted

Second Reading Passed with Amendments

3/17

Sponsored by: Delegate Nathaniel T. Oaks, District 41 Delegate Joanne C. Benson, District 24 Delegate Eric M. Bromwell, District 8 Delegate Robert A. Costa, District 33B Delegate Dereck E. Davis, District 25 Delegate John P. Donoghue, District 2C Delegate Donald B. Elliott, District 4B Delegate Peter A. Hammen, District 46 Delegate James W. Hubbard, District 23A Delegate Wade Kach, District 5B Delegate Nicholaus R. Kipke, District 31 Delegate Pat McDonough, District 7 Delegate Heather R. Mizeur, District 20 Delegate Karen S. Montgomery, District 14 Delegate Dan K. Morhaim, District 11 Delegate Shirley Nathan-Pulliam, District 10 Delegate Joseline A. Pena-Melnyk, District 21 Delegate Shane E. Pendergrass, District 13 Delegate Kirill Reznik, District 39 Delegate B. Daniel Riley, District 34A Delegate David D. Rudolph, District 34B Delegate Veronica Turner, District 26 Delegate Richard B. Weldon, Jr., District 3B

Bill indexed under the following Subjects:

Committees and Commissions -see also- Political Committees Disclosure

Drugs -see also- Controlled Dangerous Sub; Substance Abuse

Ethics

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Bill affects the following Statutes:
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Health - General
(19-706)
Insurance
(15-1601, 15-1602)
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Documents:

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Bill Text (Displayed in PDF Format): First Reading , Third Reading , Enrolled , Chapter 
Fiscal and Policy Note (Displayed in PDF Format): Available 
Amendments (Displayed in PDF Format): 
House

Number: 946482/01  Offered on: March 19, 2008 at: 10:59 a.m. Status: Adopted 
Senate

Number: 177974/01  Offered on: April 1, 2008 at: 12:20 p.m. Status: Adopted 
Roll Call Votes (Legislative dates are shown): 
House

March 17, 2008: Third Reading Passed (138-0)

March 30, 2008: Third Reading Passed (139-0)

Senate
```

March 29, 2008: Third Reading Passed (47-0)

Department of Legislative Services

Maryland General Assembly 2008 Session

FISCAL AND POLICY NOTE Revised

House Bill 580 (Delegate Oaks, et al.)

Health and Government Operations

Finance

Pharmacy Benefits Managers - Pharmacy and Therapeutics Committees

This bill establishes requirements for a pharmacy and therapeutics committee of a pharmacy benefits manager. A PBM is prohibited from requiring a pharmacy to participate on its P&T committee.

The bill authorizes the Insurance Commissioner to adopt regulations to implement the bill.

Fiscal Summary

State Effect: Potential minimal increase in special fund expenditures for the Maryland Insurance Administration beginning in FY 2009 to ensure compliance with the bill. No effect on revenues.

Local Effect: None.

Small Business Effect: Minimal to none.

Analysis

Bill Summary: The bill does not apply to any service provided by a nonprofit HMO that operates as a group model provided that the service is provided solely to members and furnished through the internal pharmacy operations of the popprofit HMO. The bill does

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2008 Regular Session



SENATE BILL 720 5

File Code: Health Care Facilities and Regulation

Crossfiled with: HOUSE BILL 580

Sponsored By:

Senators Klausmeier, Della, Exum, Garagiola, and Pugh

Entitled:

Pharmacy Benefits Managers - Pharmacy and Therapeutics Committees

Synopsis:

Establishing requirements for a pharmacy and therapeutics committee of a pharmacy benefits manager; requiring a pharmacy benefits manager to ensure that its pharmacy and therapeutics committee has specified policies and procedures; making specified provisions of law applicable to health maintenance organizations; etc.

History by Legislative and Calendar Date

Legislative date is used to record history occuring in the Chambers otherwise Calendar date is used.

Senate Action

2/1

First Reading Finance

2/20

Hearing 3/12 at 1:00 p.m.

3/20

Favorable with Amendments Report by Finance

Favorable with Amendments Report Adopted

Second Reading Passed with Amendments

3/22

Third Reading Passed (47-0)

4/2

Senate Concur - House Amendment

Third Deading Deced (46.0)

History by Legislative and Calendar Date Legislative date is used to record history occuring in the Chambers otherwise Calendar date is used. Senate Action 2/1 First Reading Finance 2/20 Hearing 3/12 at 1:00 p.m. 3/20 Favorable with Amendments Report by Finance Favorable with Amendments Report Adopted Second Reading Passed with Amendments 3/22 Third Reading Passed (47-0) 4/2 Senate Concur - House Amendment Third Reading Passed (46-0) Passed Enrolled House Action 3/22 First Reading Health and Government Operations 3/28 Hearing 4/1 at 1:00 p.m. 4/4 Favorable with Amendments Report by Health and Government Operations 3/29 Favorable with Amendments Report Adopted Second Reading Passed with Amendments 3/30 Third Reading Passed with Amendments (139-0) Action after passage in Senate and House 5/22

Vetoed 🔁 by the Governor (Duplicative)

May 22, 2008

The Honorable Thomas V. Mike Miller, Jr.

President of the Senate State House Annapolis, MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 720 – Pharmacy Benefits Managers – Pharmacy and Therapeutics Committees.

This bill establishes requirements for a pharmacy and therapeutics committee of a pharmacy benefits manager. The bill requires a pharmacy benefits manager to ensure that its pharmacy and therapeutics committee has specified policies and procedures to make specified provisions of law applicable to health maintenance organizations.

House Bill 580, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 720.

Sincerely,

Governor

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2015 Regular Session



B0580 🔁 (CH0437) 🕏

Find a 2015 Bill:

Entitled: Health Care Disparities, Cultural and Linguistic Competency, and Health Literacy - Recommended

Courses

Sponsored by: Delegate Pena-Melnyk

Status: Approved by the Governor - Chapter 437

Summary Documents History

Synopsis: Requiring the Office of Minority Health and Health Disparities to provide to specified health occupations boards a list of specified recommended courses in cultural and linguistic competency, health disparities, and health literacy; requiring each board to post a course list prominently on the Boards' Web site, provide information about the recommended courses to health care professionals at the time of license renewal, and advertise the availability of specified courses in specified newsletters and media; etc. Analysis: Fiscal and Policy Note (Revised) All Sponsors: Delegates Pena-Melnyk, Atterbeary, Campos, Carr, Cullison, Davis, Kelly, Oaks, B. Robinson, Sophocleus, and Tarlau Additional Facts: Cross-filed with: SB0198 Bill File Type: Regular Effective Date(s): October 1, 2015 Committee(s): Health and Government Operation Education, Health, and Environmental Affairs Broad Subject(s): Health Occupations Narrow Subject(s): Administrative Agencies -see also- Electronic Government Advertising Committees and Commissions -see also- Political Committees Counselors -see also- Social Workers Dentists



What's New?



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Sep 30, 2019

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Maryland legal self-help web site managed by the Library

- Gateway to Maryland Law
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 Maryland law journals
- Scanned Collections

See our expanding collection of scanned Maryland full-text legal materials

Scanned Collections

The Thurgood Marshall State Law Library is committed to improving public access to its comprehensive collections of legal and government information. Consequently, the Library has embarked on a program to digitize those printed Maryland materials that are both fairly unique to the Library and frequently used by legal researchers.

Our current collections include:

Judicial Conference Proceedings

Scanned copies of the Proceedings of the Maryland Judicial Conference, dating from 1947 to 1997, provide historical information on the work of the Judiciary.

Judiciary Administrative Orders

This digitization project includes all scanned copies of Administrative Orders of the Court of Appeals, since 1955. Traditionally, Administrative Orders have been issued by the Chief Judge of the Court of Appeals, and less frequently, by the full Court, pursuant to powers vested by Article IV, § 18 of the Maryland Constitution. These Orders cover a broad array of topics including: court administration, conferences and boards, technology, and records and reporting. The site also includes "Local Orders" of Circuit Courts (which most often include inclement weather closings).

Legislative Bill Files

The Library, in cooperation with the Legislative Services Library, provides online access to bill files from the 2003 Session and subsequent sessions as they become available. A few miscellaneous bill files pre-2003 are available in the collection. The bill files contain information collected by the General Assembly's Standing Committees about bills submitted to them for review.

Legislative Council Materials

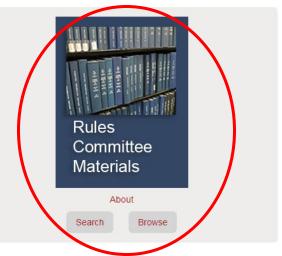
The Maryland Legislative Council, which existed from 1939 through 1975, studied various















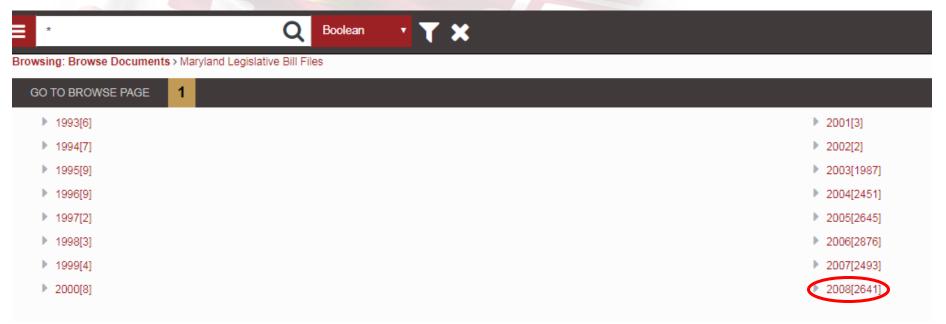
♦ Senate Bill 269, Regular Session (Md. 2004). Maryland General Assembly

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Title ♦	Creator \$	Publisher \$	Browse Year \$	Created Date \$	Collection \$
● ★ House Bill 624, Regular Session (Md. 2003).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	0 2003	2003	Maryland Legislative Bill Files
★ House Bill 625, Regular Session (Md. 2003).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	0 2003	2003	Maryland Legislative Bill Files
● ★ House Bill 626, Regular Session (Md. 2003).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	0 2003	2003	Maryland Legislative Bill Files
● ★ House Bill 1444, Regular Session (2004).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	0 2004	2004	Maryland Legislative Bill Files
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 	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	0 2004	2004	Maryland Legislative Bill Files
 	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	0 2004	2004	Maryland Legislative Bill Files
ð ★ Senate Bill 260, Regular Session (Md. 2004).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	0 2004	2004	Maryland Legislative Bill Files
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ð ★ Senate Bill 262, Regular Session (Md. 2004).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	0 2004	2004	Maryland Legislative Bill Files
ð ★ Senate Bill 263, Regular Session (Md. 2004).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	0 2004	2004	Maryland Legislative Bill Files
ð ★ Senate Bill 264, Regular Session (Md. 2004).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	0 2004	2004	Maryland Legislative Bill Files
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ð ★ Senate Bill 266, Regular Session (Md. 2004).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	0 2004	2004	Maryland Legislative Bill Files
ð ★ Senate Bill 267, Regular Session (Md. 2004).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	0 2004	2004	Maryland Legislative Bill Files
ð ★ Senate Bill 268, Regular Session (Md. 2004).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	0 2004	2004	Maryland Legislative Bill Files

Annapolis, Md.: Department of Legislative Services, 20 2004

2004

Maryland Legislative Bill Files





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•	♦ ★ Senate Bill 0528, Regular Session (2008).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
\$200 - \$200 \$200	♦ House Bill 0001, Regular Session (2008).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
	● ★ House Bill 0002, Regular Session (2008).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
	♦ House Bill 0003, Regular Session (2008).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
	♦ House Bill 0004, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
4.00 4.00	● ★ House Bill 0005, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
	● ★ House Bill 0006, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
200	● ★ House Bill 0007, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
	● ★ House Bill 0008, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
200	● ★ House Bill 0009, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
	● ★ House Bill 0010, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
\$2000 - 20000 20000	● ★ House Bill 0011, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
	● ★ House Bill 0012, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
•	♦ House Bill 0013, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
•	● ★ House Bill 0014, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
•	● ★ House Bill 0015, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files
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	♦ House Bill 0048, Regular Session (2008).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	2008	2008	Maryland Legislative Bill Files

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=	★ House Bill 1255, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Leg
G()	★ House Bill 1321, Regular Session (2008).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	2008	2008	Maryland Leg
	★ House Bill 1482, Regular Session (2008).	Maryland General Assembly	Annapolis, Md.: Department of Legislative Services, 20	2008	2008	Maryland Leg
<u>200</u>	★ House Bill 0019, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Leg
	● ★ House Bill 0077, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Leg
20	♦ House Bill 1559, Regular Session (2008).	Maryland General Assembly	Annapolis, Md. : Department of Legislative Services, 20	2008	2008	Maryland Leg
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.DATE 12 JUN 14 08:41:02 REPORT GENERATION LSB5

2008 LEGISLATIVE HISTORY FOR HB0580

LR0724 FILECODE: J3

SPONSOR(S): Oaks, Nathaniel T., Delegate District 41 Benson, Joanne C., Delegate District 24 Bromwell, Eric M., Delegate District 8 Costa, Robert A., Delegate District 33B Davis, Dereck E., Delegate District 25 Donoghue, John P., Delegate District 2C Elliott, Donald B., Delegate District 4B Hammen, Peter A., Delegate District 46 Hubbard, James W., Delegate District 23A Kach, Wade, Delegate District 5B Kipke, Nicholaus R., Delegate District 31 McDonough, Pat, Delegate District 7 Mizeur, Heather R., Delegate District 20 Montgomery, Karen S., Delegate District 14 Morhaim, Dan K., Delegate District 11 Nathan-Pulliam, Shirley, Delegate District 10 Pena-Melnyk, Joseline A., Delegate District 21 Pendergrass, Shane E., Delegate District 13 Reznik, Kirill, Delegate District 39 Riley, B. Daniel, Delegate District 34A Rudolph, David D., Delegate District 34B Turner, Veronica, Delegate District 26 Weldon, Richard B., Jr., Delegate District 3B

SHORT TITLE: Pharmacy Benefits Managers - Pharmacy and Therapeutics Committees

COMMENT: Session Laws, Chapter 279 -- See also sb0720 --

FISCAL IMPACT:

SYNOPSIS:

Establishing requirements for a pharmacy and therapeutics committee of a pharmacy benefits manager: requiring a pharmacy benefits manager to



DOUGLAS F. GANSLER ATTORNEY GENERAL

KATHERINE WINFREE Chief Deputy Attorney General

JOHN B. HOWARD, JR. Deputy Attorney General



THE ATTORNEY GENERAL OF MARYLAND OFFICE OF COUNSEL TO THE GENERAL ASSEMBLY

April 23, 2008

DAN FRIEDMAN Counsel to the General Assembly

SANDRA BENSON BRANTLEY BONNIE A. KIRKLAND KATHRYN M. ROWE Assistant Attorneys General

The Honorable Martin J. O'Malley Governor of Maryland State House 100 State Circle Annapolis, Maryland 21401

Dear Governor O'Malley:

We have reviewed the following bills and hereby approve them for constitutionality and legal sufficiency:



HEALTH AND GOVERNMENT OPERATIONS COMMITTEE

Peter A. Hammen, Chairman · Committee Report System

Department of Legislative Services · 2008 Maryland General Assembly

FLOOR REPORT

House Bill 580

Pharmacy Benefits Managers - Pharmacy and Therapeutics Committee

BILL SUMMARY

This bill establishes requirements for a pharmacy and therapeutics committee of a pharmacy benefits manager. The bill prohibits a PBM from requiring a pharmacy to participate in a P&T committee.

AMENDMENT SUMMARY AND RATIONALE

Amendment No. 1 adds sponsors and makes technical changes.

Amendment No. 2 strikes the original bill and substitutes provisions that set requirements for the membership of a P&T committee, allow the Insurance Commissioner to deem a PBM as



STATE OF MARYLAND

DHMH

Department of Health and Mental Hygiene
Martin O'Malley, Governor - Anthony G. Brown, Lt. Governor - John M. Colmers, Secretary

MARYLAND BOARD OF PHARMACY

4201 Patterson Avenue Baltimore, Maryland 21215-2299
Donald Taylor, Board President - LaVerne G. Naesea, Executive Director

February 7, 2008

The Honorable Peter A. Hammen Chairman House Health and Government Operations Committee House Office Building, Room 241 12 Bladen St., Annapolis, MD 21401 - 1991

> Re: HB 580 - Pharmacy Benefits Managers - Pharmacy and Therapeutics Committee, Letter of Support

Dear Chairman Hammen:

The Maryland Board of Pharmacy (the "Board") submits this Letter of Support regarding HB 580 – Pharmacy Benefits Managers – Pharmacy and Therapeutics Committee. This legislation sets forth the types of members and criteria for membership in a Pharmacy and Therapeutics Committee. A Pharmacy and Therapeutics Committee is part of the pharmacy benefits manager's operations and assists the pharmacy benefits manager in determining the list of medications that will be reimbursed by the insurance companies and dispensed to the patient.

The Board support this legislation because it is in the interest of public safety to have a physician or other authorized prescriber, a pharmacist or a faculty member of an academic medical center involved in determinations concerning which medications the pharmacy benefits manager will approve for dispensing. This bill also requires that members of the Pharmacy and Therapeutics Committee not work for a manufacturer or have any financial interest in which drugs are

UNITED STATES OF AMERICA FEDERAL TRADE COMMISSION Washington, DC 20580



Office of Policy Planning Bureau of Economics Bureau of Competition

July 15, 2005

Representative Patrick T. McHenry 224 Cannon House Office Building Washington, D.C. 20515-3310

Dear Representative McHenry:

The staffs of the Federal Trade Commission's Office of Policy Planning, Bureau of Competition, and Bureau of Economics¹ are pleased to respond to your request for comments on the likely competitive effects of North Carolina House Bill 1374 ("HB 1374" or the "Bill") that would regulate the contractual relationships between pharmacy benefit managers ("PBMs") and both "health benefit plans" ("HBPs") and pharmacies.

This letter expresses the views of the Federal Trade Commission's Office of Policy Planning, Bureau of Competition, and Bureau of Economics. The letter does not necessarily represent the views of the Federal Trade Commission (Commission) or of any individual Commissioner. The Commission has, however, voted to authorize us to submit these comments.

² UD 1274 defines a "Health Bonefit Blan" as "an accident and health insurance policy or certificates



MD Rules, Rule 5-613

RULE 5-613. PRIOR STATEMENTS OF WITNESSES

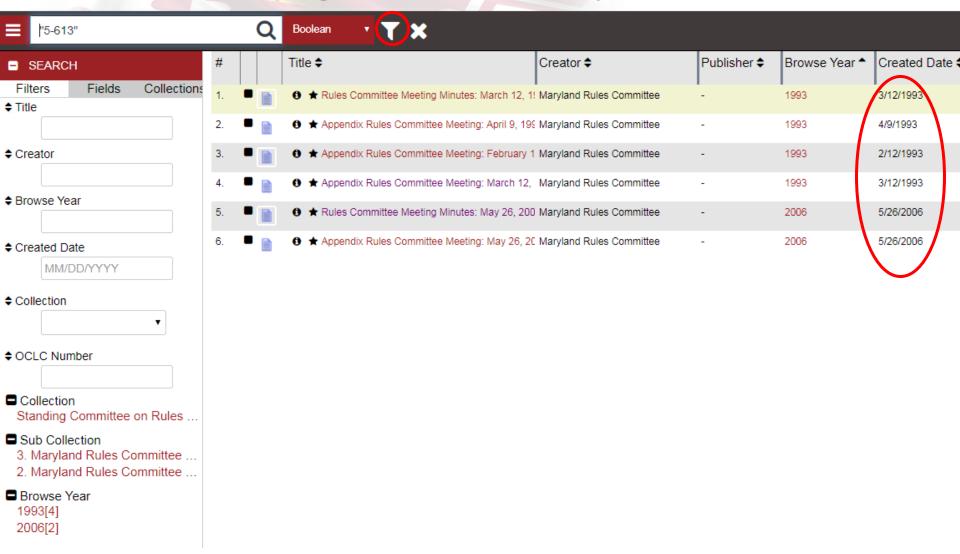
Currentness

- (a) Examining Witness Concerning Prior Statement. A party examining a witness about a prior written or oral statement made by the witness need not show it to the witness or disclose its contents at that time, provided that before the end of the examination (1) the statement, if written, is disclosed to the witness and the parties, or if the statement is oral, the contents of the statement and the circumstances under which it was made, including the persons to whom it was made, are disclosed to the witness and (2) the witness is given an opportunity to explain or deny it.
- (b) Extrinsic Evidence of Prior Inconsistent Statement of Witness. Unless the interests of justice otherwise require, extrinsic evidence of a prior inconsistent statement by a witness is not admissible under this Rule (1) until the requirements of section (a) have been met and the witness has failed to admit having made the statement and (2) unless the statement concerns a non-collateral matter.

Source: This Rule is derived from F.R.Ev. 613.

Credits

[Adopted Dec. 15, 1993, eff. July 1, 1994.]



(a) Examining Witness Concerning Prior Statement

A party examining a witness about a prior written or oral statement made by the witness need not show it to the witness or disclose its contents at that time, provided that before the end of the examination (1) the statement, if written, is disclosed to the witness and the parties, or if the statement is oral, the contents of the statement and the circumstances under which it was made, including the persons to whom it was made, are disclosed to the witness and (2) the witness is given an opportunity to explain or deny it.

(b) Extrinsic Evidence of Prior Inconsistent Statement of Witness

Unless the interests of justice otherwise require, extrinsic evidence of a prior inconsistent statement by a witness is not admissible under this Rule (1) until the requirements of section (a) have been met and the witness has failed to admit having made the statement and (2) unless the statement concerns a non-collateral matter.

Source: This Rule is derived from F.R.Ev. 613.

REPORTER'S NOTE

The proposed Rule is derived from F.R.Ev. 613, which is identical to the Uniform Rule. It rejects the common law "Queen Caroline's rule" currently followed in Maryland, under which impeachment of a witness by the witness's prior inconsistent statement must be preceded by showing the witness the statement, if written, or disclosing its contents, if oral, as well as by telling the witness when, where, and to whom the statement was made. The proposed Rule retains (with an exception where justice requires) that part of the common law approach, however, under which extrinsic evidence of a witness's prior inconsistent

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Proposed Rules Changes and Recent Rules Orders

201st Report

Report	Submitted to	Date of Court's	Rules Order
	Court Of Appeals	Open Meeting	Document
201st Report ☐ PDF	09/12/2019 Note: Comment period ends 10-15-19		

200th Report

Report	Submitted to	Date of Court's	Rules Order
	Court Of Appeals	Open Meeting	Document
200th Report ☐ PDF	03/05/2019 Note: Comment period ends 04-05-19	05/15/2019 @ 10:00 am See NOTICE	Rules Order 05/16/2019

199th Report

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Report	Submitted to	Date of Court's	Rules Order
	Court Of Appeals	Open Meeting	Document
Supplement to the 199th Report	05/09/2019		

Standing Committee on Rules of Practice and Procedure

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Minutes of Rules Committee Meetings

Note: The minutes are available in PDF (Portable Document Format) To view, print, cut and paste from you may be required to download the free Adobe Acrobat Reader software.



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- Questions?
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