

HOUSE BILL 296

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9lr1270

By: **Delegates Shetty, Attar, Atterbeary, Bagnall, Cox, Ebersole, W. Fisher, Fraser-Hidalgo, Healey, Hettleman, Hill, Jalisi, Johnson, Jones, Korman, R. Lewis, Moon, Palakovich Carr, Pena-Melnyk, Reznik, Smith, Solomon, Stewart, Terrasa, Valderrama, Wells, and Wilkins**

Introduced and read first time: January 28, 2019

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Occupations – Pharmacists – Disclosure of Price and Cost Share for**
3 **Prescription Drugs**

4 FOR the purpose of requiring, at the point of sale, a certain pharmacist or the pharmacist's
5 designee to inform a retail consumer, to the best of the pharmacist's or pharmacist's
6 designee's knowledge, of a certain price for a prescription drug and, under certain
7 circumstances, a certain cost share; requiring the State Board of Pharmacy to adopt
8 certain procedures; and generally relating to pharmacists and the disclosure of price
9 and cost share for prescription drugs.

10 BY repealing and reenacting, with amendments,
11 Article – Health Occupations
12 Section 12–502
13 Annotated Code of Maryland
14 (2014 Replacement Volume and 2018 Supplement)

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

17 **Article – Health Occupations**

18 12–502.

19 (a) In the operation of a pharmacy, only a licensed pharmacist or an individual
20 engaging in a professional experience program and acting under the direct supervision of a
21 licensed pharmacist may provide information to the public or a health care practitioner
22 concerning prescription or nonprescription drugs or devices including information as to
23 their therapeutic values, potential side effects, and use in the treatment and prevention of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 diseases.

2 (b) A licensed pharmacist shall give a patient who requests, in person or by
3 telephone, the current price of a prescription drug or device that the pharmacy offers for
4 sale to the public.

5 (c) (1) AT THE POINT OF SALE, A LICENSED PHARMACIST, OR THE
6 PHARMACIST'S DESIGNEE WHO IS UNDER THE DIRECT SUPERVISION OF THE
7 PHARMACIST, SHALL INFORM A RETAIL CONSUMER TO THE BEST OF THE
8 PHARMACIST'S OR THE PHARMACIST'S DESIGNEE'S KNOWLEDGE OF:

9 (i) THE RETAIL PRICE FOR THE PRESCRIPTION DRUG; AND

10 (ii) IF THE RETAIL CONSUMER RECEIVES PRESCRIPTION DRUG
11 COVERAGE OR BENEFITS FROM AN INSURER, A NONPROFIT HEALTH SERVICE PLAN,
12 OR A HEALTH MAINTENANCE ORGANIZATION, THE COST SHARE FOR WHICH THE
13 RETAIL CONSUMER IS RESPONSIBLE FOR THE PRESCRIPTION DRUG.

14 (2) THE BOARD SHALL ADOPT PROCEDURES FOR:

15 (i) A CONSUMER TO NOTIFY THE BOARD WHEN A PHARMACIST
16 FAILS TO PROVIDE THE INFORMATION REQUIRED UNDER PARAGRAPH (1) OF THIS
17 SUBSECTION; AND

18 (ii) ADVISING A PHARMACIST TO BRING THE PHARMACIST INTO
19 COMPLIANCE WITH THE REQUIREMENTS OF PARAGRAPH (1) OF THIS SUBSECTION.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2019.