

SENATE BILL 497

J5, J1, J4

4lr2411
CF 4lr0728

By: **Senator Gile**

Introduced and read first time: January 24, 2024

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance and Maryland Medical Assistance Program – Coverage –**
3 **Opioid Reversal Drugs and Products**

4 FOR the purpose of requiring the Maryland Medical Assistance Program and certain
5 insurers, nonprofit health service plans, and health maintenance organizations to
6 cover nonprescription naloxone hydrochloride and any other drug or product that is
7 approved by the federal Food and Drug Administration for the complete or partial
8 reversal of an opioid overdose without imposing a copayment or coinsurance
9 requirement that exceeds a certain amount; and generally relating to the coverage
10 for opioid reversal drugs and products.

11 BY adding to
12 Article – Health – General
13 Section 15–102.3(m) and 15–103(a)(2)(xxiv)
14 Annotated Code of Maryland
15 (2023 Replacement Volume)

16 BY repealing and reenacting, without amendments,
17 Article – Health – General
18 Section 15–103(a)(1)
19 Annotated Code of Maryland
20 (2023 Replacement Volume)

21 BY repealing and reenacting, with amendments,
22 Article – Health – General
23 Section 15–103(a)(2)(xxii) and (xxiii)
24 Annotated Code of Maryland
25 (2023 Replacement Volume)

26 BY adding to
27 Article – Insurance

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Section 15–850.1
2 Annotated Code of Maryland
3 (2017 Replacement Volume and 2023 Supplement)

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

6 **Article – Health – General**

7 15–102.3.

8 **(M) THE PROVISIONS OF § 15–850.1 OF THE INSURANCE ARTICLE APPLY TO**
9 **MANAGED CARE ORGANIZATIONS IN THE SAME MANNER AS THEY APPLY TO**
10 **CARRIERS.**

11 15–103.

12 (a) (1) The Secretary shall administer the Maryland Medical Assistance
13 Program.

14 (2) The Program:

15 (xxii) Beginning on January 1, 2024, shall provide
16 gender–affirming treatment in accordance with § 15–151 of this subtitle; [and]

17 (xxiii) Beginning on July 1, 2025, shall provide, subject to the
18 limitations of the State budget, and as permitted by federal law, coverage for biomarker
19 testing in accordance with § 15–859 of the Insurance Article; AND

20 **(XXIV) SHALL PROVIDE COVERAGE OF NONPRESCRIPTION**
21 **NALOXONE HYDROCHLORIDE AND ANY OTHER DRUG OR PRODUCT THAT IS**
22 **APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION FOR THE**
23 **COMPLETE OR PARTIAL REVERSAL OF AN OPIOID OVERDOSE.**

24 **Article – Insurance**

25 **15–850.1.**

26 **(A) (1) THIS SECTION APPLIES TO:**

27 **(I) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT**
28 **PROVIDE COVERAGE FOR PRESCRIPTION DRUGS UNDER INDIVIDUAL, GROUP, OR**
29 **BLANKET HEALTH INSURANCE POLICIES OR CONTRACTS THAT ARE ISSUED OR**
30 **DELIVERED IN THE STATE; AND**

1 **(II) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE**
2 **COVERAGE FOR PRESCRIPTION DRUGS UNDER INDIVIDUAL GROUP CONTRACTS**
3 **THAT ARE ISSUED OR DELIVERED IN THE STATE.**

4 **(2) AN INSURER, A NONPROFIT HEALTH SERVICE PLAN, OR A HEALTH**
5 **MAINTENANCE ORGANIZATION THAT PROVIDES COVERAGE FOR PRESCRIPTION**
6 **DRUGS THROUGH A PHARMACY BENEFITS MANAGER IS SUBJECT TO THE**
7 **REQUIREMENTS OF THIS SECTION.**

8 **(B) AN ENTITY SUBJECT TO THIS SECTION SHALL COVER**
9 **NONPRESCRIPTION NALOXONE HYDROCHLORIDE AND ANY OTHER DRUG OR**
10 **PRODUCT THAT IS APPROVED BY THE FEDERAL FOOD AND DRUG ADMINISTRATION**
11 **FOR THE COMPLETE OR PARTIAL REVERSAL OF AN OPIOID OVERDOSE WITHOUT**
12 **IMPOSING A COPAYMENT OR COINSURANCE REQUIREMENT THAT EXCEEDS \$10 PER**
13 **PACKAGE.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
15 policies, contracts, and health benefit plans issued, delivered, or renewed in the State on or
16 after January 1, 2025.

17 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 January 1, 2025.