

CHAPTER 126

(Senate Bill 169)

AN ACT concerning

Maryland Drug Formulary - Substitution of Generic Equivalent  
Drug Products for Brand Name Drug Products

FOR the purpose of requiring the Medical Assistance Program to publish a list of certain drugs included on the Maryland Drug Formulary; requiring the Medical Assistance Program to establish maximum reimbursement levels for certain drug products; requiring changes to the Medical Assistance Program list of interchangeable drugs to be effective on a certain date; authorizing the Department of Health and Mental Hygiene to remove a drug product from the Maryland Drug Formulary, subject to certain conditions; and generally relating to the Maryland Drug Formulary and substitution of generic equivalent drug products for brand name drug products.

BY repealing and reenacting, with amendments,

Article - Health - General  
Section 15-118  
Annotated Code of Maryland  
(1987 Replacement Volume)

BY repealing and reenacting, with amendments,

Article - ~~Health~~ Health Occupations  
Section 12-508(d)  
Annotated Code of Maryland  
(1986 Replacement Volume and 1987 Supplement)

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

Article - Health - General

15-118.

(a) The [form] FORMS that [is] ARE used in prescribing AND BILLING FOR drugs under the Program shall include the following statement, IF APPLICABLE: This prescription shall be filled with a generic equivalent from the formulary of the Department, unless the [prescribing physician] PRESCRIBER directs otherwise in writing.