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BULLETIN 21-28

Date: November 22, 2021

To: All Pharmacy Benefit Managers, and Insurance Companies, Non-profit Health Service Plans and Health Maintenance Organizations that use Pharmacy Benefit Managers, Independent Pharmacies, and other interested parties.

Re: House Bill 601, Chapter 358, Acts of 2021 - Pharmacy Benefits Managers – Revisions - Report – Stakeholder Comments related to Pharmaceutical Care Management Ass'n v. Wehbi, No. 18-2926 (8th Cir. 2021)

House Bill 601 (Chapter 358, Acts of 2021) was passed by the General Assembly during the 2021 Session. The bill requires the Maryland Insurance Administration (MIA) to submit a report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2-1257 of the State Government Article, on the scope of the U.S. Supreme Court opinion in *Rutledge v. Pharmaceutical Care Management Association* No. 18-540, slip on (Dec. 10, 2020) and how to apply the decision to Title 15, Subtitle 16 of the Insurance Article.

In light of the recent 8th Circuit decision, *Pharmaceutical Care Management Ass'n v. Wehbi*, No. 18-2926 (8th Cir. 2021), the MIA will consider stakeholder input and analysis of this decision when completing this report. The MIA is requesting that all stakeholders who wish to submit written comments to the MIA for consideration do so by Friday, December 3rd. Please email comments to Michael Paddy, Director of Government Relations at michael.paddy@maryland.gov.

KATHLEEN A. BIRRANE
COMMISSIONER

By: signature on original
Michael Paddy
Director of Government Relations