

# HOUSE BILL 1050

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By: **Delegates Johnson, Arian, Bagnall, Boteler, Chisholm, Corderman, Ebersole, Hornberger, Lisanti, and Terrasa**

Introduced and read first time: February 6, 2020

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Hospitals – Discharge or Transfer of Patients – Prior Authorization of**  
3 **Prescriptions**  
4 **(The Mae Abraham Act)**

5 FOR the purpose of requiring a hospital, before discharge or transfer of a patient, to ensure  
6 that prior authorization is obtained for any prescriptions given to the patient that  
7 require prior authorization; and generally relating to discharge and transfer  
8 requirements of a hospital.

9 BY repealing and reenacting, with amendments,  
10 Article – Health – General  
11 Section 19–308.8  
12 Annotated Code of Maryland  
13 (2019 Replacement Volume)

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

16 **Article – Health – General**

17 19–308.8.

18 (a) A hospital may discharge a patient:

19 (1) Entirely;

20 (2) To another level of care, treatment, or services;

21 (3) To different health professionals; or

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(4) To settings for continued services.

(b) A hospital's process for transfer or discharge shall be based on a patient's assessed needs.

(c) To facilitate discharge or transfer, the hospital shall:

(1) Assess a patient's needs;

(2) Plan for discharge or transfer;

**(3) BEFORE DISCHARGE OR TRANSFER, ENSURE THAT PRIOR AUTHORIZATION IS OBTAINED FOR ANY PRESCRIPTIONS GIVEN TO THE PATIENT THAT REQUIRE PRIOR AUTHORIZATION;**

~~[(3)]~~ (4) Facilitate the discharge or transfer process;

~~[(4)]~~ (5) Give the patient or person responsible for providing continuing care to the patient written discharge instructions in a form the patient can understand; and

~~[(5)]~~ (6) Help to ensure that continuity of care, treatment, and services is maintained.

(d) If a hospital fails to comply with the requirements of this section, the Secretary may impose a civil money penalty not to exceed \$10,000 for each failure to comply.

(e) A hospital may appeal a civil money penalty imposed under subsection (c) of this section in accordance with Title 10, Subtitle 2 of the State Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.