AN EXPEDITED ACT to:

(1) require the Director of the Office of Human Resources to offer certain prescription drug benefits to County employees and retired employees;

(2) generally amend County law with respect to prescription drug benefits.

By adding

Montgomery County Code
Chapter 33, Personnel and Human Resources
Section 33-23

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The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Chapter 33 is amended by adding Section 33-23 as follows:

(a) The Director of the Office of Human Resources must offer all County employees and retired employees a prescription drug benefit, independent of any other employee benefit, that allows each employee to buy prescription maintenance medications through one or more domestic or foreign pharmacy benefit managers at the lowest available cost. The pharmacy benefit manager must assure that:

(1) each medication dispensed under this benefit is consistent with federal Food and Drug Administration standards, including manufacturing location, formulation, source and specifications of active ingredients, processing methods, manufacturing controls, container/closure system, and appearance; and

(2) any biomedication is not dispensed under this benefit.

(b) The Director may operate this program through any form of intergovernmental procurement under Article VIII of Chapter 11B if the Director finds that doing so will provide more efficient service or achieve lower costs for participants or the County.

Sec. 2. Expedited Effective Date.

The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law.

Sec. 3. Initiation of Benefit.

The Director of the Office of Human Resources must offer to all County employees the prescription drug benefit authorized under Section 33-23, added by Section 1 of this Act, not later than March 1, 2006. In arranging or contracting for the initial benefit, the Director, the Office of Procurement, and the Chief
Administrative Officer may use the comprehensive request for proposals issued by several County agencies in January 2005, the responses received from potential vendors, and the evaluation of potential vendors' responses.

Approved:

Thomas E. Perez, President, County Council

Date

Approved:

RETURNED UNSIGNED

November 10, 2005

Douglas M. Duncan, County Executive

Date

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

Date