

Senator Curtis S. Bramble proposes the following substitute bill:

PRESCRIPTION SYNCHRONIZATION

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Mike K. McKell

LONG TITLE

General Description:

This bill addresses payments by health insurance plans for the synchronization of prescription drug dispensing.

Highlighted Provisions:

This bill:

- ▶ provides definitions;
- ▶ prohibits a health insurance plan that provides prescription drug coverage from excluding certain prescription drugs dispensed in quantities less than the prescribed amount;
- ▶ prohibits a health insurance plan from basing the dispensing fee for an individual prescription on the quantity of the prescription drug dispensed to fill or refill the prescription; and
- ▶ requires administrative rulemaking.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



26 ENACTS:

27 [31A-22-642](#), Utah Code Annotated 1953

28

29 *Be it enacted by the Legislature of the state of Utah:*

30 Section 1. Section [31A-22-642](#) is enacted to read:

31 **[31A-22-642. Prescription synchronization -- Copay restrictions.](#)**

32 (1) For purposes of this section:

33 (a) "Copay" means the copay normally charged for a prescription drug.

34 (b) "Health insurer" means an insurer, as defined in Subsection [31A-22-634\(1\)](#).

35 (c) "Network pharmacy" means a pharmacy included in a health insurance plan's
 36 network of pharmacy providers.

37 (d) "Prescription drug" means a prescription drug, as defined in Section [58-17b-102](#),
 38 that is prescribed for a chronic condition.

39 (2) A health insurance plan may not charge an amount in excess of the copay for the
 40 dispensing of a prescription drug in a quantity less than the prescribed amount if:

41 (a) ~~§→ [the prescriber, or the pharmacist or pharmacy intern, has noted on the prescription~~
 42 ~~that dispensing less than the prescribed amount permits synchronization of the prescription's~~
 43 ~~original or refill dispensing date with the original or refill dispensing date of one or more other~~
 44 ~~prescriptions] the pharmacy dispenses the prescription drug in accordance with the health~~
 44a insurer's synchronization policy ~~←§~~ ; and

45 (b) the prescription drug is dispensed by a network pharmacy.

46 (3) A health insurance plan that includes a prescription drug benefit:

47 (a) shall implement a synchronization policy for the dispensing of prescription drugs to
 48 the plan's enrollees; and

49 (b) may not base the dispensing fee for an individual prescription on the quantity of the
 50 prescription drug dispensed to fill or refill the prescription unless otherwise agreed to by the
 51 plan and the contracted pharmacy ~~§→ [§] at the time the individual requests synchronization. ←§~~

52 (4) This section applies to health benefit plans renewed or entered into on or after
 53 January 1, 2015.