

**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

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**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



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; 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.

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