

1 **PRESCRIPTION DRUG ASSISTANCE**
2 **PROGRAM**

3 2003 GENERAL SESSION
4 STATE OF UTAH

5 **Sponsor: James M. Evans**

6 **This act amends the Health Code. The act creates a Prescription Drug Assistance**
7 **Program within the Department of Health and requires reporting to the Legislature.**

8 This act affects sections of Utah Code Annotated 1953 as follows:

9 ENACTS:

10 **26-47-101**, Utah Code Annotated 1953

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

12 Section 1. Section **26-47-101** is enacted to read:

13 **CHAPTER 47. PRESCRIPTION DRUG ASSISTANCE**

14 **26-47-101. Prescription Drug Assistance Program.**

15 (1) No later than October 1, 2003, the department shall implement a Prescription Drug
16 Assistance Program. The program shall assist persons seeking information about how to obtain
17 prescription drugs at a reduced price or no cost. The program shall:

18 (a) collect eligibility and enrollment information about programs that make
19 prescription drugs available to consumers at a reduced price or no cost;

20 (b) provide information collected under Subsection (1)(a) to consumers upon request
21 via a toll-free phone line, the Internet, and mail;

22 (c) inform pharmacists and other health care providers of the Prescription Drug
23 Assistance Program; and

24 (d) assist consumers in completing applications to participate in programs identified
25 under Subsection (1)(a).

26 (2) Any pharmaceutical manufacturer, distributor, or wholesaler operating in the state
27 shall:



- 28 (a) notify the department of any program operated by it to provide prescription drugs to
29 consumers at a reduced price or no cost; and
- 30 (b) provide the department with information about eligibility, enrollment, and benefits.
- 31 (3) Pharmacies, as defined in Title 58, Chapter 17, Pharmacy Practice Act, shall notify
32 their patients of the Prescription Drug Assistance Program. This notification shall include
33 **§ [prominently] §** displaying the program's toll-free number, and may include distributing a brochure
34 or oral communication.
- 35 (4) The department may accept grants, gifts, and donations of money or property for
36 use by the Prescription Drug Assistance Program.
- 37 (5) The department shall report to the Health and Human Services Interim Committee
38 and the Joint Health and Human Services Appropriations Subcommittee on the performance of
39 the Prescription Drug Assistance Program prior to the 2004 and 2005 Annual General Sessions
40 of the Legislature.

Legislative Review Note
as of 1-30-03 3:21 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

State Impact

This bill requires the Department of Health to implement a Prescription Drug Assistance Program to assist people in obtaining prescription drugs at a reduced price or no cost. The costs to implement and operate this program is estimated at \$65,000 annually.

	<u>FY 04 Approp.</u>	<u>FY 05 Approp.</u>	<u>FY 04 Revenue</u>	<u>FY 05 Revenue</u>
General Fund	\$65,000	\$65,000	\$0	\$0
TOTAL	\$65,000	\$65,000	\$0	\$0

Individual and Business Impact

Some pharmaceutical manufacturers participate in drug assistance programs that provide certain drugs to qualified consumers. Individuals, mainly those with limited incomes but not on Medicaid, would be able to reduce their costs for their prescription drugs.

Office of the Legislative Fiscal Analyst