

SENATE BILL No. 26

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10-8-14.8; IC 27-8-32.1; IC 27-13-7-20.1.

Synopsis: Coverage of prescription eye drops. Requires that certain state employee health plans, policies of accident and sickness insurance, and health maintenance organization contracts must cover refills and additional units of prescription eye drops under specified conditions. (The introduced version of this bill was prepared by the interim committee on public health, behavioral health, and human services).

Effective: July 1, 2015.

Miller Patricia

January 6, 2015, read first time and referred to Committee on Health & Provider Services.



First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 26

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 5-10-8-14.8 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2015]: **Sec. 14.8. (a) This section applies to an employee health**
- 4 **plan that provides coverage for prescription eye drops.**
- 5 **(b) As used in this section, "covered individual" means an**
- 6 **individual who is entitled to coverage under a state employee**
- 7 **health plan.**
- 8 **(c) As used in this section, "state employee health plan" means**
- 9 **one (1) of the following:**
- 10 **(1) A self-insurance program established under section 7(b) of**
- 11 **this chapter to provide group health coverage.**
- 12 **(2) A contract with a prepaid health care delivery plan that is**
- 13 **entered into or renewed under section 7(c) of this chapter.**
- 14 **(d) A state employee health plan must provide coverage for a**
- 15 **refill of prescription eye drops if the following are met:**
- 16 **(1) For a thirty (30) day supply, the covered individual**



1 requests the refill not earlier than twenty-one (21) days after
 2 the date the prescription eye drops were last dispensed to the
 3 covered individual.

4 (2) For a ninety (90) day supply, the covered individual
 5 requests the refill not earlier than sixty-three (63) days after
 6 the date the prescription eye drops were last dispensed to the
 7 covered individual.

8 (3) The prescribing practitioner has indicated on the
 9 prescription that the prescription eye drops are refillable and
 10 the refill requested by the covered individual does not exceed
 11 the refillable amount remaining on the prescription.

12 (e) A state employee health plan must provide coverage for one
 13 (1) additional unit of the prescription eye drops if the following are
 14 met:

15 (1) The covered individual requests an additional unit.

16 (2) The prescribing practitioner indicates on the prescription
 17 that an additional unit is needed for the covered individual.

18 (3) An additional unit is limited to one (1) unit every three (3)
 19 months.

20 (f) The coverage required by subsections (d) and (e) must not be
 21 subject to dollar limits, copayments, deductibles, or coinsurance
 22 provisions that are less favorable to a covered individual than the
 23 dollar limits, copayments, deductibles, or coinsurance provisions
 24 that apply to coverage for prescription drugs generally under the
 25 state employee health plan.

26 (g) This section applies to a state employee health plan issued,
 27 delivered, amended, or renewed after June 30, 2015.

28 SECTION 2. IC 27-8-32.1 IS ADDED TO THE INDIANA CODE
 29 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2015]:

31 **Chapter 32.1. Coverage for Prescription Eye Drops**

32 **Sec. 1. This chapter applies to a policy of accident and sickness**
 33 **insurance that provides coverage for prescription eye drops.**

34 **Sec. 2. As used in this chapter, "insured" means an individual**
 35 **who is entitled to coverage under a policy of accident and sickness**
 36 **insurance.**

37 **Sec. 3. As used in this chapter, "policy of accident and sickness**
 38 **insurance" has the meaning set forth in IC 27-8-5-1.**

39 **Sec. 4. (a) A policy of accident and sickness insurance must**
 40 **provide coverage for a refill of prescription eye drops if the**
 41 **following are met:**

42 (1) For a thirty (30) day supply, the insured requests the refill



1 not earlier than twenty-one (21) days after the date the
2 prescription eye drops were last dispensed to the insured.

3 (2) For a ninety (90) day supply, the insured requests the refill
4 not earlier than sixty-three (63) days after the date the
5 prescription eye drops were last dispensed to the insured.

6 (3) The prescribing practitioner has indicated on the
7 prescription that the prescription eye drops are refillable and
8 the refill requested by the insured does not exceed the
9 refillable amount remaining on the prescription.

10 (b) A policy of accident and sickness insurance must provide
11 coverage for one (1) additional unit of the prescription eye drops
12 if the following are met:

13 (1) The insured requests an additional unit.

14 (2) The prescribing practitioner indicates on the prescription
15 that an additional unit is needed for the insured.

16 (3) An additional unit is limited to one (1) unit every three (3)
17 months.

18 (c) The coverage required by subsections (a) and (b) must not be
19 subject to dollar limits, copayments, deductibles, or coinsurance
20 provisions that are less favorable to an insured than the dollar
21 limits, copayments, deductibles, or coinsurance provisions that
22 apply to coverage for prescription drugs generally under the policy
23 of accident and sickness insurance.

24 (d) This section applies to a policy of accident and sickness
25 insurance issued, delivered, amended, or renewed after June 30,
26 2015.

27 SECTION 3. IC 27-13-7-20.1 IS ADDED TO THE INDIANA
28 CODE AS A NEW SECTION TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2015]: **Sec. 20.1. (a) This section applies to an**
30 **individual contract or a group contract that provides coverage for**
31 **prescription eye drops.**

32 (b) An individual contract or a group contract must provide
33 coverage for a refill of prescription eye drops if the following are
34 met:

35 (1) For a thirty (30) day supply, the enrollee requests the refill
36 not earlier than twenty-one (21) days from the date the
37 prescription eye drops were last dispensed to the enrollee.

38 (2) For a ninety (90) day supply, the enrollee requests the
39 refill not earlier than sixty-three (63) days from the date the
40 prescription eye drops were last dispensed to the enrollee.

41 (3) The prescribing practitioner has indicated on the
42 prescription that the prescription eye drops are refillable and



- 1 the refill requested by the enrollee does not exceed the
2 refillable amount remaining on the prescription.
- 3 (c) An individual contract or a group contract must provide
4 coverage for one (1) additional unit of the prescription eye drops
5 if the following are met:
- 6 (1) The enrollee requests an additional unit.
7 (2) The prescribing practitioner indicates on the prescription
8 that an additional bottle is needed for the enrollee.
9 (3) An additional bottle is limited to one (1) unit every three
10 (3) months.
- 11 (d) The coverage required by subsections (b) and (c) must not be
12 subject to dollar limits, copayments, deductibles, or coinsurance
13 provisions that are less favorable to an enrollee than the dollar
14 limits, copayments, deductibles, or coinsurance provisions that
15 apply to coverage for prescription drugs generally under the
16 individual contract or group contract.
- 17 (e) This section applies to an individual contract or a group
18 contract issued, delivered, amended, or renewed after June 30,
19 2015.

