

SENATE No. 654

The Commonwealth of Massachusetts

PRESENTED BY:

Sal N. DiDomenico

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to out-of-pocket expenses for prescription drug coverage.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/25/2021</i>

SENATE No. 654

By Mr. DiDomenico, a petition (accompanied by bill, Senate, No. 654) of Sal N. DiDomenico and Elizabeth A. Malia for legislation relative to out-of-pocket expenses for prescription drug coverage. Financial Services.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 570 OF 2019-2020.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to out-of-pocket expenses for prescription drug coverage.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 175 of the General Laws as appearing in the 2018 Official Edition, is hereby
2 amended by inserting after section 230 the following section:-

3 Section 228. Patient Cost-Sharing Obligation for Prescription Drugs

4 (A) As used in this section the following words shall, unless the context clearly requires
5 otherwise, have the following meanings:-

6 “Connector” means the Commonwealth health insurance connector authority.

7 (B) Notwithstanding any law, after January 1, 2021, each health insurance carrier that
8 sells state-regulated plans outside of the Connector, including individual, small group and large
9 group plans, shall apply the prescription drug cost-sharing requirements of the Connector Silver

10 or Gold standard benefit designs to at least fifty percent of plans offered in said markets. Cost-
11 sharing includes copayments, coinsurance, and deductibles.

12 (C) For a plan that meets the requirements of a High Deductible Health Plan as defined in
13 section 223(c)(2) of the Internal Revenue Code of 1986, the requirements of subsection B shall
14 apply after the minimum annual deductible specified in section 223(c)(2) of the Internal Revenue
15 Code of 1986 is reached.

16 (D) The Massachusetts Division of Insurance shall promulgate any regulations necessary
17 to implement and enforce this Act.