

FIRST REGULAR SESSION

HOUSE BILL NO. 1409

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PLOCHER.

2080H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 376, RSMo, by adding thereto two new sections relating to the cost of prescriptions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 376, RSMo, is amended by adding thereto two new sections, to be known as sections 376.687 and 376.689, to read as follows:

376.687. 1. As used in this section, the following terms mean:

(1) "Epinephrine auto-injector", a prescribed single-use device used for the automatic injection of a premeasured dose of epinephrine into the human body;

(2) "Prescription insulin drug", a prescription drug that contains insulin and is used to control blood glucose levels to treat diabetes, but does not include an insulin drug that is administered to a patient intravenously.

2. This section applies to any group or individual policy of accident and health insurance amended, delivered, issued, or renewed on or after August 28, 2021.

3. (1) An insurer that provides coverage for prescription insulin drugs under the terms of a health coverage plan the insurer offers shall limit the total amount that an insured is required to pay for a thirty-day supply of covered prescription insulin drugs at an amount not to exceed one hundred dollars, regardless of the quantity or type of covered prescription insulin drug used to fill the insured's prescription.

(2) An insurer that provides coverage for epinephrine auto-injectors under the terms of a health coverage plan the insurer offers shall limit the total amount that an insured is required to pay for a thirty-day supply of covered epinephrine auto-injectors at

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 an amount not to exceed one hundred dollars, regardless of the quantity or type of covered
18 epinephrine auto-injector used to fill the insured's prescription.

19 4. On January first of each year, the limit on the amount that an insured is
20 required to pay for a thirty-day supply of a covered prescription insulin drug or
21 epinephrine auto-injector shall increase by a percentage equal to the percentage change
22 from the preceding year in the medical care component of the Consumer Price Index of the
23 Bureau of Labor Statistics of the United States Department of Labor.

24 5. The director of the department of commerce and insurance may promulgate all
25 necessary rules and regulations for the administration of this section. Any rule or portion
26 of a rule, as that term is defined in section 536.010, that is created under the authority
27 delegated in this section shall become effective only if it complies with and is subject to all
28 of the provisions of chapter 536 and, if applicable, section 536.028. This section and
29 chapter 536 are nonseverable, and if any of the powers vested with the general assembly
30 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul
31 a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
32 any rule proposed or adopted after August 28, 2021, shall be invalid and void.

376.689. 1. Before November 1, 2021, the department of commerce and insurance,
2 in conjunction with the department of health and senior services and the department of
3 social services, shall make available to the public a report that details each department's
4 findings for the following:

5 (1) A summary of insulin pricing practices and epinephrine auto-injector pricing
6 practices and variables that contribute to the pricing of health coverage plans;

7 (2) Public policy recommendations to control and prevent overpricing of
8 prescription insulin drugs and epinephrine auto-injectors made available to Missouri
9 consumers; and

10 (3) Any other information that the department of commerce and insurance finds
11 necessary.

12 2. The provisions of this section terminate on January 1, 2022.

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