

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 474

Introduced by Baker, 30.

Read first time January 17, 2017

Committee:

- 1 A BILL FOR AN ACT relating to insurance; to require coverage for filling
- 2 prescriptions to synchronize the patient's medications.
- 3 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) Notwithstanding section 44-3,131, (a) any individual
2 or group sickness and accident insurance policy, certificate, or
3 subscriber contract delivered, issued for delivery, or renewed in this
4 state and any hospital, medical, or surgical expense-incurred policy,
5 except for policies that provide coverage for a specified disease or
6 other limited-benefit coverage, and (b) any self-funded employee benefit
7 plan to the extent not preempted by federal law that provides coverage
8 for prescription medications shall apply a prorated daily cost-sharing
9 rate to prescriptions that are dispensed by a network pharmacy for a
10 partial supply if the prescribing practitioner or pharmacist determines
11 the fill or refill to be in the best interest of the patient and the
12 patient requests or agrees to a partial supply for the purpose of
13 synchronizing the patient's medications.

14 (2) A policy, certificate, contract, or plan provider shall not deny
15 coverage for the dispensing of a medication that is dispensed by a
16 network pharmacy on the basis that the dispensing is for a partial supply
17 if the prescribing practitioner or pharmacist determines the fill or
18 refill to be in the best interest of the patient and the patient requests
19 or agrees to a partial supply for the purpose of synchronizing the
20 patient's medications. The policy, certificate, contract, or plan shall
21 allow a pharmacy to override any denial codes indicating that a
22 prescription is being refilled too soon for purposes of medication
23 synchronization.

24 (3) A policy, certificate, contract, or plan provider shall not use
25 payment structures incorporating prorated dispensing fees. Dispensing
26 fees for partially filled or refilled prescriptions shall be paid in full
27 for each prescription dispensed, regardless of any prorated daily cost-
28 sharing for the beneficiary or fee paid for alignment services.

29 (4) This section shall apply to any policy, certificate, contract,
30 or plan that is delivered, issued for delivery, or renewed in this state
31 on or after the effective date of this act.