

SENATE BILL 1939

By Briggs

AN ACT to amend Tennessee Code Annotated, Title 8;  
Title 53; Title 56, Chapter 7; Title 63 and Title 71,  
Chapter 5, relative to insulin.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 56-7-2605(a), is amended by adding the following subdivisions:

( ) "Healthcare professional" means a physician or other healthcare practitioner licensed, registered, accredited, or certified to perform specified healthcare services pursuant to title 63 or title 68 and regulated under the authority of the department of health or any agency, board, council, or committee attached to the department;

( ) "Healthcare services" means services for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease;

( ) "Insulin supplier" means any person, as defined in § 53-1-102, that is a supplier of prescription insulin drugs, including, but not limited to, a manufacturer, wholesaler, or retailer;

( ) "Prescription insulin drug" means a prescription drug, as defined in § 63-10-204, that contains insulin and is used to treat diabetes;

SECTION 2. Tennessee Code Annotated, Section 56-7-2605(f), is amended by designating the existing language as subdivision (1) and adding the following subdivision:

(2)

(A) Notwithstanding subdivision (f)(1), a health insurance carrier that provides coverage for prescription insulin drugs pursuant to the terms of a policy, program, or contract of insurance shall cap the total amount that a covered

patient with diabetes is required to pay for covered prescription insulin drugs at an amount not to exceed one hundred dollars (\$100) per thirty-day supply of insulin, regardless of the amount, type, or number of insulins or the number of prescriptions needed to complete the thirty-day supply for the covered patient with diabetes.

(B) This subdivision (f)(2) applies to any state or local insurance program, under title 8, chapter 27, and any managed care organization contracting with the state to provide insurance through the TennCare program.

SECTION 3. Tennessee Code Annotated, Title 53, Chapter 1, Part 1, is amended by adding the following new section:

(a) As used in this section:

(1) "Healthcare professional" means a physician or other healthcare practitioner licensed, registered, accredited, or certified to perform specified healthcare services pursuant to title 63 or title 68 and regulated under the authority of the department of health or any agency, board, council, or committee attached to the department;

(2) "Healthcare services" means services for the diagnosis, prevention, treatment, cure, or relief of a health condition, illness, injury, or disease;

(3) "Insulin supplier" means any person, as defined in this chapter, that is a supplier of prescription insulin drugs, including, but not limited to, a manufacturer, wholesaler, or retailer;

(4) "Patient with diabetes" means a person with elevated blood glucose levels that has been diagnosed as having diabetes by an appropriately licensed healthcare professional; and

(5) "Prescription insulin drug" means a prescription drug, as defined in § 63-10-204, that contains insulin and is used to treat diabetes.

(b) Notwithstanding any law, any insulin supplier that supplies prescription insulin drugs into or within this state for use by a patient with diabetes shall cap the total

price for prescription insulin drugs at an amount not to exceed one hundred dollars (\$100) per thirty-day supply of insulin, regardless of the amount, type, or number of insulins or the number of prescriptions needed to complete the thirty-day supply for a patient with diabetes.

SECTION 4. This act shall take effect July 1, 2020, the public welfare requiring it, and applies to sales of insulin occurring on or after that date.