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H.657

Introduced by Representatives Emmons of Springfield, Martin of Springfield
and Pellett of Chester

Referred to Committee on

Date:

Subject: Health; health insurance; prescription drugs; cost sharing

Statement of purpose: This bill proposes to limit the amount of the
co-payment health insurers may require from their subscribers for prescription
drugs.

An act relating to prescription drug co-payments

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 8 V.S.A. § 4089j is amended to read:

§ 4089j. RETAIL PHARMACIES; FILLING OF PRESCRIPTIONS

(a) A health insurer and pharmacy benefit manager doing business in
Vermont shall permit a retail pharmacist licensed under chapter 36 of Title 26
to fill prescriptions in the same manner and at the same level of reimbursement
as they are filled by mail order pharmacies with respect to the quantity of drugs
or days' supply of drugs dispensed under each prescription; provided,
however, that no health insurer shall require an insured to pay more than two

1 prescription drug co-payments for a 90-day supply of a drug, regardless of
2 whether the prescription is filled by a retail pharmacist or mail order pharmacy.

3 (b) As used in this section:

4 (1) "Health insurer" is defined by section 9402 of Title 18.

5 (2) "Pharmacy benefit manager" means an entity that performs
6 pharmacy benefit management. "Pharmacy benefit management" means an
7 arrangement for the procurement of prescription drugs at negotiated dispensing
8 rates, the administration or management of prescription drug benefits provided
9 by a health insurance plan for the benefit of beneficiaries, or any of the
10 following services provided with regard to the administration of pharmacy
11 benefits:

12 (A) mail service pharmacy;

13 (B) claims processing, retail network management, and payment of
14 claims to pharmacies for prescription drugs dispensed to beneficiaries;

15 (C) clinical formulary development and management services;

16 (D) rebate contracting and administration;

17 (E) certain patient compliance, therapeutic intervention, and generic
18 substitution programs; and

19 (F) disease management programs.

1 (c) This section shall apply to Medicaid, the Vermont health access plan,
2 the VScript pharmaceutical assistance program, and any other public health
3 care assistance program.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect upon passage.