

1 S.59

2 Introduced by Senator Mullin

3 Referred to Committee on

4 Date:

5 Subject: Health; health insurance; substance abuse; prescription drugs

6 Statement of purpose of bill as introduced: This bill proposes to require health
7 insurance plans to cover abuse-deterrent formulations of pain relieving
8 medications as preferred drugs on their prescription drug formularies.

9 An act relating to insurance coverage for abuse-deterrent formulations of
10 certain medications

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

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

13 § 4089i. PRESCRIPTION DRUG COVERAGE

14 * * *

15 (g) A health insurance or other health benefit plan offered by a health
16 insurer or by a pharmacy benefit manager on behalf of a health insurer that
17 provides coverage for prescription drugs shall include abuse-deterrent
18 formulations of pain relieving medications as preferred drugs on its
19 prescription drug formulary.

1 (h) As used in this section:

2 (1) “Health care professional” means an individual licensed to practice
3 medicine under 26 V.S.A. chapter 23 or 33, an individual certified as a
4 physician assistant under 26 V.S.A. chapter 31, or an individual licensed as an
5 advanced practice registered nurse under 26 V.S.A. chapter 28.

6 (2) “Health insurer” shall have the same meaning as in 18 V.S.A.
7 § 9402.

8 (3) “Out-of-pocket expenditure” means a co-payment, coinsurance,
9 deductible, or other cost-sharing mechanism.

10 (4) “Pharmacy benefit manager” shall have the same meaning as in
11 section 4089j of this title.

12 (5) “Step therapy” means protocols that establish the specific sequence
13 in which prescription drugs for a specific medical condition are to be
14 prescribed.

15 (6) “Abuse-deterrent formulation” means that a medication is
16 formulated in such a way as to make it difficult, but not necessarily impossible,
17 to abuse.

18 ~~(h)~~(i) The Department of Financial Regulation shall enforce this section
19 and may adopt rules as necessary to carry out the purposes of this section.

1 Sec. 2. EFFECTIVE DATE

2 This act shall take effect on October 1, 2015, and shall apply to all health
3 insurance plans and health benefit plans on and after October 1, 2015, on such
4 date as a health insurer issues, offers, or renews the plan, but in no event later
5 than October 1, 2016.