

1 S.65

2 Introduced by Senators Vyhovsky and Lyons

3 Referred to Committee on Finance

4 Date: February 7, 2023

5 Subject: Health insurance; commercial insurance coverage; epinephrine auto-
6 injectors

7 Statement of purpose of bill as introduced: This bill proposes to require
8 commercial insurance plans provide coverage for epinephrine auto-injectors
9 without any deductible, coinsurance, co-payment, or other cost-sharing
10 requirement.

11 An act relating to commercial insurance coverage of epinephrine auto-
12 injectors

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

14 ~~Sec. 1, 8 V.S.A., chapter 107, subchapter 15 is added to read:~~

15 Subchapter 15. Epinephrine

16 § 4100m. EPINEPHRINE AUTO-INJECTORS; COVERAGE REQUIRED

17 (a) As used in this section, "health insurance plan" means any individual or
18 group health insurance policy, any hospital or medical service corporation or
19 health maintenance organization subscriber contract, or any other health
20 benefit plan offered, issued, or renewed for any person in this State by a health

1 ~~insurer, as defined by 18 V.S.A. § 9402. The term shall not include benefit~~
2 ~~plans providing coverage for a specific disease or other limited benefit~~
3 ~~coverage.~~

4 ~~(b) A health insurance plan shall provide coverage without any deductible,~~
5 ~~coinsurance, co-payment, or other cost-sharing requirement for epinephrine~~
6 ~~auto-injectors when prescribed by an insured's health care provider.~~

7 Sec. 2. EFFECTIVE DATE

8 ~~This act shall take effect on July 1, 2023.~~

Sec. 1. 8 V.S.A. chapter 107, subchapter 15 is added to read:

Subchapter 15. Epinephrine

§ 4100m. EPINEPHRINE AUTO-INJECTORS; COVERAGE REQUIRED

(a) As used in this section, "health insurance plan" means any individual or group health insurance policy, any hospital or medical service corporation or health maintenance organization subscriber contract, or any other health benefit plan offered, issued, or renewed for any person in this State by a health insurer. The term shall not include benefit plans providing coverage for a specific disease or other limited benefit coverage. "Health insurer" means any insurance company that provides health insurance as defined in subdivision 3301(a)(2) of this title, nonprofit hospital and medical service corporations, and health maintenance organizations.

(b) Except to the extent such coverage would disqualify a high-deductible health plan from eligibility for a health savings account pursuant to 26 U.S.C. § 223, a health insurance plan shall provide coverage without any deductible, coinsurance, co-payment, or other cost-sharing requirement for epinephrine auto-injectors when prescribed by an insured's health care provider.

Sec. 2. EFFECTIVE DATE

This act shall take effect on January 1, 2025 and shall apply to all health insurance plans issued on and after January 1, 2025 on such date as a health insurer offers, issues, or renews the health insurance plan, but in no event later than January 1, 2026.