

1 S.113

2 Introduced by Senator Benning

3 Referred to Committee on

4 Date:

5 Subject: Health; health care services; pharmacies; prescription drugs;

6 consumer information

7 Statement of purpose of bill as introduced: This bill proposes to require the  
8 Green Mountain Care Board to create an online database through which  
9 consumers may compare the cost and quality of health care services around the  
10 State. The bill would also require pharmacies to post in the store and online  
11 the actual cost of the 20 most commonly prescribed medications.

12 An act relating to increasing consumer access to health care cost  
13 information

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

15 Sec. 1. 18 V.S.A. § 9410a is added to read:

16 § 9410a. HEALTH CARE QUALITY AND PRICE COMPARISON

17 (a)(1) The Green Mountain Care Board shall establish a website allowing  
18 health care consumers to compare the price of medical care in Vermont by  
19 insurance plan and by service or procedure, including office visits, emergency  
20 care, radiologic services, and preventive care such as mammography and

1 colonoscopy, as well as comparing the cost of prescription drugs. The website  
2 shall also enable consumers to compare quality across providers. The Board  
3 may develop and administer the comparison website itself or through a  
4 contract with a third party.

5 (2) The website shall allow a consumer to compare price by selecting a  
6 specific service or procedure, insurance plan, and geographic region of the  
7 State. Based on the criteria specified, the website shall provide the consumer  
8 with an estimate for each provider of the amount the consumer would pay for  
9 the service or procedure, an estimate of the amount the insurance would pay,  
10 and an estimate of the combined payments.

11 (3) For consumers without health insurance or who choose to compare  
12 costs without selecting an insurance plan, the website shall provide the average  
13 cost for the service or procedure in the specified geographic region.

14 (b) Cost data for the comparison website shall be derived from the unified  
15 health care database established in section 9410 of this title.

16 (c) The Department of Vermont Health Access shall ensure that the website  
17 for the Vermont Health Benefit Exchange includes a prominently placed link  
18 to the comparison website established by this section to allow health care  
19 consumers to make informed decisions about the health care services they  
20 receive.

1 Sec. 2. 18 V.S.A. § 4634 is amended to read:

2 § 4634. PRESCRIPTION DRUG PRICE DISCLOSURE

3 (a) Upon request, a pharmacy shall disclose to any consumer or health care  
4 provider the usual and customary retail price of a prescription drug.

5 (b) With each prescription dispensed, a pharmacy shall disclose to the  
6 consumer, in writing, the price of the prescription and any payment toward the  
7 price required of the consumer.

8 (c) Each pharmacy shall display on or near the pharmacy counter and on  
9 the pharmacy website, if any, the usual and customary retail price of the 20  
10 most commonly prescribed prescription medications dispensed at that  
11 pharmacy, as well as the average price for each of those prescription  
12 medications.

13 (d) ~~For purposes of~~ As used in this section:

14 (1) “Price of the prescription” means the amount charged by the  
15 pharmacy to the consumer or, if applicable, to the consumer’s health benefit  
16 plan.

17 (2) “Usual and customary retail price” means the total price charged to a  
18 consumer who does not have prescription drug coverage under a health benefit  
19 plan.

20 ~~(d)~~(e) In addition to any other remedy provided by law, the ~~attorney~~  
21 ~~general~~ Attorney General may file an action in ~~superior court~~ Superior Court

1 for a violation of this section. In any such action, the ~~attorney general~~  
2 Attorney General shall have the same authority to investigate and to obtain  
3 remedies as if the action were brought under the Consumer Protection Act,  
4 9 V.S.A. chapter 63. Each violation of this section constitutes a separate civil  
5 violation for which the ~~attorney general~~ Attorney General may obtain relief.

6 Sec. 3. EFFECTIVE DATE

7 This act shall take effect on passage. The Green Mountain Care Board  
8 shall ensure the website required by Sec. 1 is operational on or before  
9 October 1, 2015 and pharmacies shall display the information required by  
10 Sec. 2 on or before July 1, 2015.