

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. House Bill 1800

PRINTER NO. 3681

AMOUNT

No Fiscal Impact

FUND

General Fund

DATE INTRODUCED

April 2, 2018

PRIME SPONSOR

Representative Nelson

DESCRIPTION

House Bill 1800 amends Title 40 (Insurance) of the Pennsylvania Consolidated Statutes to provide for medication synchronization.

The legislation adds Chapter 39 to Title 40 (Insurance) to provide for “medication synchronization” which is defined as the coordination of prescription drug filling or refilling by a pharmacy or dispensing physician for a health insurance enrollee taking two or more maintenance medications for the purpose of improving medication adherence.

The bill requires a health insurance policy to permit and apply a prorated daily cost-sharing rate to maintenance medications that are dispensed by a pharmacy as a partial supply if the pharmacist or prescriber determines the fill or refill to be in the best interest of the patient and the patient requests or agrees to a partial supply for the purpose of medication synchronization.

The bill limits partial supply fills or refills to three times per year for each maintenance medication for a covered individual. However, a health plan may approve clinically necessary synchronizations beyond three times per year.

The legislation prohibits a health insurance plan from denying coverage for medication dispensed by a network pharmacy on the basis that the dispensing is for a partial supply if the prescriber or pharmacist determines the fill or refill to be in the best interest of the patient and the patient requests or agrees to a partial supply for the purpose of medication synchronization.

The bill requires a health insurance policy to accept early refill and partial supply requests for maintenance medications dispensed for the purpose of medication synchronization using the submission clarification and message codes as adopted by the National Council for Prescription Drug Programs or alternative codes provided by the health insurance policy. Nothing in this chapter may prohibit a health insurance policy from using other methods to comply with this chapter.

SENATE APPROPRIATIONS COMMITTEE

FISCAL NOTE

The bill prohibits a health insurance plan that provides prescription drug coverage from using payment structures incorporating prorated dispensing fees. The legislation stipulates that dispensing fees for a partial supply or refilled prescription shall be paid in full for each maintenance medication dispensed, regardless of any prorated copay for the beneficiary or fee paid for alignment services.

This chapter does not apply to Schedule II drugs or drugs that are in unit-of-use packaging for which medication synchronization is not possible.

This chapter shall apply to health insurance policies as follows:

- For a health insurance policy for which either rates or forms are required to be filed with the federal government or the Insurance Department, this chapter shall apply to a health insurance policy for which a form or rate is first permitted to be used on or after the effective date of this section.
- For a health insurance policy for which neither rates nor forms are required to be filed with the federal government or the Insurance Department, this chapter shall apply to a health insurance policy issued or renewed on or after the effective date of this section.

This act shall take effect in 365 days.

FISCAL IMPACT:

House Bill 1800 will have no fiscal impact to the Commonwealth since no change in the number of prescriptions is expected.