

2016 -- S 2822 SUBSTITUTE A

LC005327/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

A N A C T

RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Senator Gayle L. Goldin

Date Introduced: March 23, 2016

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness  
2 Insurance Policies" is hereby amended by adding thereto the following section:

3 **27-18-50.1. Medication synchronization.** – (a) An individual or group health insurance  
4 plan or policy delivered, issued for delivery, or renewed in this state on or after January 1, 2017  
5 providing prescription drug coverage in the state must permit and apply a prorated daily cost-  
6 sharing rate to covered prescriptions for a chronic condition that are dispensed by an in-network  
7 pharmacy for less than a thirty (30) days' supply if the prescriber and pharmacist determines the  
8 fill or refill to be in the best interest of the patient for the management or treatment of a chronic  
9 long-term care condition and the patient requests or agrees to less than a thirty (30) days' supply  
10 for the purpose of synchronizing the patient's medications and the insured's or enrollee's  
11 maintenance prescription drug(s) to be synchronized meets all of the following requirements:

12 (1) Is covered by the policy, certificate, or contract described in this chapter;

13 (2) Is used for the management and treatment of a chronic long-term care condition and  
14 have authorized refills that remain available to the insured or enrollee;

15 (3) Except as otherwise provided in this subparagraph, is not a controlled substance  
16 included in schedules 2 to 5;

17 (4) Meets all utilization management requirements specific to the maintenance  
18 prescription drugs at the time of the request to synchronize the insured's or enrollee's multiple  
19 maintenance prescription drugs;

1 (5) Is of a formulation that can be effectively split over required short fill periods to  
2 achieve synchronization; and

3 (6) Does not have quantity limits or dose optimization criteria or requirements that will  
4 be violated when synchronizing the insured's or enrollee's multiple maintenance prescription  
5 drugs.

6 (b) The plan or policy described in subsection (a) shall apply a prorated daily cost sharing  
7 rate for maintenance prescription drugs that are dispensed by an in-network pharmacy for the  
8 purpose of synchronizing the insured's or enrollee's multiple maintenance prescription drugs.

9 (c) The plan or policy described in subsection (a) shall not reimburse or pay any  
10 dispensing fee that is prorated. The insurer shall only pay or reimburse a dispensing fee that is  
11 based on each maintenance prescription drug dispensed.

12 (d) A synchronization shall only occur once per year per maintenance prescription drug.

13 SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service  
14 Corporations" is hereby amended by adding thereto the following section:

15 **27-19-26.1. Medication synchronization.** – (a) An individual or group health insurance  
16 plan or policy delivered, issued for delivery, or renewed in this state on or after January 1, 2017  
17 providing prescription drug coverage in the state must permit and apply a prorated daily cost-  
18 sharing rate to covered prescriptions for a chronic condition that are dispensed by an in-network  
19 pharmacy for less than a thirty (30) days' supply if the prescriber and pharmacist determines the  
20 fill or refill to be in the best interest of the patient for the management or treatment of a chronic  
21 long-term care condition and the patient requests or agrees to less than a thirty (30) days' supply  
22 for the purpose of synchronizing the patient's medications and the insured's or enrollee's  
23 maintenance prescription drug(s) to be synchronized meets all of the following requirements:

24 (1) Is covered by the policy, certificate, or contract described in this chapter;

25 (2) Is used for the management and treatment of a chronic long-term care condition and  
26 have authorized refills that remain available to the insured or enrollee;

27 (3) Except as otherwise provided in this subparagraph, is not a controlled substance  
28 included in schedules 2 to 5;

29 (4) Meets all utilization management requirements specific to the maintenance  
30 prescription drugs at the time of the request to synchronize the insured's or enrollee's multiple  
31 maintenance prescription drugs;

32 (5) Is of a formulation that can be effectively split over required short fill periods to  
33 achieve synchronization; and

34 (6) Does not have quantity limits or dose optimization criteria or requirements that will

1 be violated when synchronizing the insured's or enrollee's multiple maintenance prescription  
2 drugs.

3 (b) The plan or policy described in subsection (a) shall apply a prorated daily cost sharing  
4 rate for maintenance prescription drugs that are dispensed by an in-network pharmacy for the  
5 purpose of synchronizing the insured's or enrollee's multiple maintenance prescription drugs.

6 (c) The plan or policy described in subsection (a) shall not reimburse or pay any  
7 dispensing fee that is prorated. The insurer shall only pay or reimburse a dispensing fee that is  
8 based on each maintenance prescription drug dispensed.

9 (d) A synchronization shall only occur once per year per maintenance prescription drug.

10 SECTION 3. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service  
11 Corporations" is hereby amended by adding thereto the following section:

12 **27-20-23.1. Medication synchronization.** -- (a) An individual or group health insurance  
13 plan or policy delivered, issued for delivery, or renewed in this state on or after January 1, 2017  
14 providing prescription drug coverage in the state must permit and apply a prorated daily cost-  
15 sharing rate to covered prescriptions for a chronic condition that are dispensed by an in-network  
16 pharmacy for less than a thirty (30) days' supply if the prescriber and pharmacist determines the  
17 fill or refill to be in the best interest of the patient for the management or treatment of a chronic  
18 long-term care condition and the patient requests or agrees to less than a thirty (30) days' supply  
19 for the purpose of synchronizing the patient's medications and the insured's or enrollee's  
20 maintenance prescription drug(s) to be synchronized meets all of the following requirements:

21 (1) Is covered by the policy, certificate, or contract described in this chapter;

22 (2) Is used for the management and treatment of a chronic long-term care condition and  
23 have authorized refills that remain available to the insured or enrollee;

24 (3) Except as otherwise provided in this subparagraph, is not a controlled substance  
25 included in schedules 2 to 5;

26 (4) Meets all utilization management requirements specific to the maintenance  
27 prescription drugs at the time of the request to synchronize the insured's or enrollee's multiple  
28 maintenance prescription drugs;

29 (5) Is of a formulation that can be effectively split over required short fill periods to  
30 achieve synchronization; and

31 (6) Does not have quantity limits or dose optimization criteria or requirements that will  
32 be violated when synchronizing the insured's or enrollee's multiple maintenance prescription  
33 drugs.

34 (b) The plan or policy described in subsection (a) shall apply a prorated daily cost sharing

1 rate for maintenance prescription drugs that are dispensed by an in-network pharmacy for the  
2 purpose of synchronizing the insured's or enrollee's multiple maintenance prescription drugs.

3 (c) The plan or policy described in subsection (a) shall not reimburse or pay any  
4 dispensing fee that is prorated. The insurer shall only pay or reimburse a dispensing fee that is  
5 based on each maintenance prescription drug dispensed.

6 (d) A synchronization shall only occur once per year per maintenance prescription drug.

7 SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance  
8 Organizations" is hereby amended by adding thereto the following section:

9 **27-41-38.1. Medication synchronization. --** (a) An individual or group health insurance  
10 plan or policy delivered, issued for delivery, or renewed in this state on or after January 1, 2017  
11 providing prescription drug coverage in the state must permit and apply a prorated daily cost-  
12 sharing rate to covered prescriptions for a chronic condition that are dispensed by an in-network  
13 pharmacy for less than a thirty (30) days' supply if the prescriber and pharmacist determines the  
14 fill or refill to be in the best interest of the patient for the management or treatment of a chronic  
15 long-term care condition and the patient requests or agrees to less than a thirty (30) days' supply  
16 for the purpose of synchronizing the patient's medications and the insured's or enrollee's  
17 maintenance prescription drug(s) to be synchronized meets all of the following requirements:

18 (1) Is covered by the policy, certificate, or contract described in this chapter;

19 (2) Is used for the management and treatment of a chronic long-term care condition and  
20 have authorized refills that remain available to the insured or enrollee;

21 (3) Except as otherwise provided in this subparagraph, is not a controlled substance  
22 included in schedules 2 to 5;

23 (4) Meets all utilization management requirements specific to the maintenance  
24 prescription drugs at the time of the request to synchronize the insured's or enrollee's multiple  
25 maintenance prescription drugs;

26 (5) Is of a formulation that can be effectively split over required short fill periods to  
27 achieve synchronization; and

28 (6) Does not have quantity limits or dose optimization criteria or requirements that will  
29 be violated when synchronizing the insured's or enrollee's multiple maintenance prescription  
30 drugs.

31 (b) The plan or policy described in subsection (a) shall apply a prorated daily cost sharing  
32 rate for maintenance prescription drugs that are dispensed by an in-network pharmacy for the  
33 purpose of synchronizing the insured's or enrollee's multiple maintenance prescription drugs.

34 (c) The plan or policy described in subsection (a) shall not reimburse or pay any

1 dispensing fee that is prorated. The insurer shall only pay or reimburse a dispensing fee that is  
2 based on each maintenance prescription drug dispensed.

3 (d) A synchronization shall only occur once per year per maintenance prescription drug.

4 SECTION 5. This act shall take effect on January 1, 2017.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

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1           This act would direct health insurers to provide prescription drug coverage for  
2 prescriptions of less than a thirty (30) day supply for the treatment of chronic conditions. The  
3 purpose would be to synchronize a patient's medications.

4           This act would take effect upon passage.

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