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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Senators Pearson, Goldin, Picard, Miller, and Paolino

Date Introduced: March 14, 2019

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 27-18-50.1 of the General Laws in Chapter 27-18 entitled
2 "Accident and Sickness Insurance Policies" is hereby amended to read as follows:

3 **27-18-50.1. Medication synchronization.**

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

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

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

16 ~~(3) Except as otherwise provided in this subparagraph, is not a controlled substance~~
17 ~~included in schedules II to V;~~

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

1 ~~maintenance prescription drugs;~~

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

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

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

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

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

14 (a) An individual or group health insurance policy providing prescription drug coverage
15 in the state must permit and apply a prorated daily cost-sharing rate to prescriptions that are
16 dispensed by a network pharmacy for a partial supply if the prescriber or pharmacist determines
17 the fill or refill to be in the best interest of the patient and the patient requests or agrees to a
18 partial supply for the purpose of synchronizing the patient's medications.

19 (b) No individual or group health insurance policy providing prescription drug coverage
20 shall deny coverage for the dispensing of a medication that is dispensed by a network pharmacy
21 on the basis that the dispensing is for a partial supply if the prescriber or pharmacist determines
22 the fill or refill to be in the best interest of the patient and the patient requests or agrees to a
23 partial supply for the purpose of synchronizing the patient's medications. The individual or group
24 health plan must allow a pharmacy to override any denial codes indicating that a prescription is
25 being refilled too soon for the purposes of medication synchronization.

26 (c) No individual or group health insurance policy providing prescription drug coverage
27 shall use payment structures incorporating prorated dispensing fees. Dispensing fees for partially
28 filled or refilled prescriptions shall be paid in full for each prescription dispensed, regardless of
29 any prorated copay for the beneficiary or fee paid for alignment services.

30 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

- 1 This act would authorize pharmacies to dispense prescriptions of less than a thirty (30)
- 2 day supply for the purpose of synchronizing a patient's medications.
- 3 This act would take effect upon passage.

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