

**2021 -- H 5196 SUBSTITUTE A AS AMENDED**

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LC000335/SUB A  
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**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2021**

A N A C T

RELATING TO INSURANCE -- PRESCRIPTION DRUG BENEFITS

Introduced By: Representatives Kennedy, Azzinaro, Bennett, Vella-Wilkinson, Solomon,  
Diaz, and Morales

Date Introduced: January 27, 2021

Referred To: House Health, Education & Welfare

(by request)

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 27-20.8 of the General Laws entitled "Prescription Drug Benefits" is  
2 hereby amended by adding thereto the following section:

3           **27-20.8-3. Co-pay cap for prescription insulin.**

4           (a) As used in this section, unless the context otherwise requires, "prescription insulin drug"  
5 means a prescription drug, as defined in § 21-31-2, that contains insulin and is used to treat diabetes.

6           (b) A health plan that provides coverage for prescription insulin drugs pursuant to the terms  
7 of a health coverage plan the health plan offers shall cap the total amount that a covered person is  
8 required to pay for a covered prescription insulin drug at an amount not to exceed forty dollars  
9 (\$40.00), per thirty (30) day supply of insulin. Coverage for prescription insulin drugs shall not be  
10 subject to any deductible.

11           (c) Nothing in this section prevents a health plan from reducing a covered person's cost  
12 sharing to an amount less than the amount specified in subsection (b) of this section.

13           (d) The office of the health insurance commissioner may use any of its enforcement powers  
14 to obtain a health plan's compliance with this section.

15           (e) The office of the health insurance commissioner may promulgate rules and regulations  
16 as necessary to implement and administer this section and to align with federal requirements.

1 SECTION 2. This act shall take effect on January 1, 2022.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO INSURANCE -- PRESCRIPTION DRUG BENEFITS

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1           This act would provide that health plans that provide coverage for prescription insulin  
2    drugs used to treat diabetes shall only be allowed to charge up to forty dollars (\$40.00) for a  
3    copayment for a thirty (30) day supply of insulin regardless of the amount or type of insulin needed  
4    to fill the covered person's prescription. Coverage for prescription insulin would not be subject to  
5    any deductible.

6           This act would take effect on January 1, 2022.

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