

2023 -- H 5554

LC000133

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO INSURANCE -- PRESCRIPTION DRUG BENEFITS

Introduced By: Representatives Morales, Batista, Cruz, Stewart, Voas, Giraldo, J. Brien, Donovan, Speakman, and Potter

Date Introduced: February 15, 2023

Referred To: House Health & Human Services

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 **27-20.8-5. Co-pay cap for prescription asthma inhaler.**

4 (a) As used in this section, unless the context otherwise requires, "prescription asthma
5 inhaler" means a prescribed medical device that delivers medications used to treat asthma and
6 includes metered dose inhalers, nebulizers, and dry powdered inhalers. "Prescription asthma
7 inhaler" does not include inhalers available over-the-counter without a prescription to provide
8 temporary relief from asthma symptoms.

9 (b) A health plan that provides coverage for prescription asthma inhalers pursuant to the
10 terms of a health coverage plan the health plan offers shall cap the total amount that a covered
11 person is required to pay for a covered prescription asthma inhaler at an amount not to exceed
12 twenty-five dollars (\$25.00), per thirty (30) day supply. Coverage for prescription asthma inhalers
13 shall not be subject to any deductible.

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

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

18 (e) The office of the health insurance commissioner may promulgate rules and regulations
19 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, 2024.

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

1 This act would cap the total amount that a covered person is required to pay for a covered
2 prescription asthma inhaler to twenty-five dollars (\$25.00) per thirty (30) day supply.

3 This act would take effect on January 1, 2024.

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