

SENATE BILL No. 1145

November 13, 2014, Introduced by Senator HILDENBRAND and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3406t.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3406T. (1) AN INSURER THAT DELIVERS, ISSUES FOR DELIVERY,
2 OR RENEWS IN THIS STATE AN EXPENSE-INCURRED HOSPITAL, MEDICAL, OR
3 SURGICAL GROUP OR INDIVIDUAL POLICY OR CERTIFICATE THAT PROVIDES
4 PRESCRIPTION DRUG COVERAGE, OR A HEALTH MAINTENANCE ORGANIZATION
5 THAT OFFERS A GROUP OR INDIVIDUAL CONTRACT THAT PROVIDES
6 PRESCRIPTION DRUG COVERAGE, SHALL ALLOW AND APPLY A PRORATED DAILY
7 COST-SHARING RATE FOR PRESCRIPTION DRUGS THAT ARE DISPENSED BY AN
8 IN-NETWORK PHARMACY FOR LESS THAN A 30-DAY SUPPLY IF THE PRESCRIBER
9 OR THE PHARMACIST INDICATES THAT THE FILL OR REFILL FOR LESS THAN A
10 30-DAY SUPPLY IS IN THE BEST INTERESTS OF THE PATIENT OR IS FOR THE

1 PURPOSE OF SYNCHRONIZING THE PATIENT'S PRESCRIPTION DRUGS FOR
2 CHRONIC HEALTH CONDITIONS.

3 (2) AN INSURER OR HEALTH MAINTENANCE ORGANIZATION DESCRIBED IN
4 SUBSECTION (1) SHALL NOT REIMBURSE OR PAY A DISPENSING FEE FOR A
5 PRESCRIPTION DRUG THAT IS BASED ON A PAYMENT STRUCTURE THAT
6 INCORPORATES A PRORATED DISPENSING FEE FOR A PRESCRIPTION DRUG,
7 WHICH DISPENSING FEE IS DETERMINED BY CALCULATING THE NUMBER OF
8 DAYS' SUPPLY OF THE PRESCRIPTION DRUG DISPENSED. THE INSURER OR
9 HEALTH MAINTENANCE ORGANIZATION SHALL ONLY REIMBURSE OR PAY A
10 DISPENSING FEE FOR A PRESCRIPTION DRUG THAT IS BASED ON A PAYMENT
11 STRUCTURE THAT DETERMINES A DISPENSING FEE FOR EACH PRESCRIPTION
12 DISPENSED.

13 (3) AN INSURER OR HEALTH MAINTENANCE ORGANIZATION DESCRIBED IN
14 SUBSECTION (1) SHALL NOT DENY COVERAGE FOR THE DISPENSING OF A
15 PRESCRIPTION DRUG THAT IS PRESCRIBED FOR THE TREATMENT OF A CHRONIC
16 HEALTH CONDITION, WHICH PRESCRIPTION IS ISSUED IN ACCORDANCE WITH A
17 PLAN AMONG THE PATIENT, THE PRESCRIBER, AND A PHARMACIST FOR THE
18 PURPOSE OF SYNCHRONIZING THE PATIENT'S MULTIPLE PRESCRIPTION DRUGS
19 FOR CHRONIC HEALTH CONDITIONS.

20 Enacting section 1. This amendatory act applies to policies,
21 certificates, and contracts delivered, executed, issued, amended,
22 adjusted, or renewed in this state, or outside of this state if
23 covering residents of this state, beginning 180 days after the date
24 this amendatory act is enacted into law.