

SUBSTITUTE FOR  
SENATE BILL NO. 150

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 PROVIDE A PROGRAM FOR  
7 SYNCHRONIZING MULTIPLE MAINTENANCE PRESCRIPTION DRUGS FOR AN  
8 INSURED OR ENROLLEE IF BOTH OF THE FOLLOWING ARE MET:

9           (A) THE INSURED OR ENROLLEE, THE INSURED'S OR ENROLLEE'S

1 PHYSICIAN, AND A PHARMACIST AGREE THAT SYNCHRONIZING THE INSURED'S  
2 OR ENROLLEE'S MULTIPLE MAINTENANCE PRESCRIPTION DRUGS FOR THE  
3 TREATMENT OF A CHRONIC LONG-TERM CARE CONDITION IS IN THE BEST  
4 INTERESTS OF THE INSURED OR ENROLLEE FOR THE MANAGEMENT OR  
5 TREATMENT OF A CHRONIC LONG-TERM CARE CONDITION.

6 (B) THE INSURED'S OR ENROLLEE'S MULTIPLE MAINTENANCE  
7 PRESCRIPTION DRUGS MEET ALL OF THE FOLLOWING REQUIREMENTS:

8 (i) ARE COVERED BY THE POLICY, CERTIFICATE, OR CONTRACT  
9 DESCRIBED IN THIS SECTION.

10 (ii) ARE USED FOR THE MANAGEMENT AND TREATMENT OF A CHRONIC  
11 LONG-TERM CARE CONDITION AND HAVE AUTHORIZED REFILLS THAT REMAIN  
12 AVAILABLE TO THE INSURED OR ENROLLEE.

13 (iii) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBPARAGRAPH, ARE  
14 NOT CONTROLLED SUBSTANCES INCLUDED IN SCHEDULES 2 TO 5 UNDER  
15 SECTIONS 7214, 7216, 7218, AND 7220 OF THE PUBLIC HEALTH CODE, 1978  
16 PA 368, MCL 333.7214, 333.7216, 333.7218, AND 333.7220. THIS  
17 SUBPARAGRAPH DOES NOT APPLY TO ANTI-EPILEPTIC PRESCRIPTION DRUGS.

18 (iv) MEET ALL PRIOR AUTHORIZATION REQUIREMENTS SPECIFIC TO THE  
19 MAINTENANCE PRESCRIPTION DRUGS AT THE TIME OF THE REQUEST TO  
20 SYNCHRONIZE THE INSURED'S OR ENROLLEE'S MULTIPLE MAINTENANCE  
21 PRESCRIPTION DRUGS.

22 (v) ARE OF A FORMULATION THAT CAN BE EFFECTIVELY SPLIT OVER  
23 REQUIRED SHORT FILL PERIODS TO ACHIEVE SYNCHRONIZATION.

24 (vi) DO NOT HAVE QUANTITY LIMITS OR DOSE OPTIMIZATION CRITERIA  
25 OR REQUIREMENTS THAT WILL BE VIOLATED WHEN SYNCHRONIZING THE  
26 INSURED'S OR ENROLLEE'S MULTIPLE MAINTENANCE PRESCRIPTION DRUGS.

27 (2) AN INSURER OR HEALTH MAINTENANCE ORGANIZATION DESCRIBED IN

1 SUBSECTION (1) SHALL APPLY A PRORATED DAILY COST-SHARING RATE FOR  
2 MAINTENANCE PRESCRIPTION DRUGS THAT ARE DISPENSED BY AN IN-NETWORK  
3 PHARMACY FOR THE PURPOSE OF SYNCHRONIZING THE INSURED'S OR  
4 ENROLLEE'S MULTIPLE MAINTENANCE PRESCRIPTION DRUGS.

5 (3) AN INSURER OR HEALTH MAINTENANCE ORGANIZATION DESCRIBED IN  
6 SUBSECTION (1) SHALL NOT REIMBURSE OR PAY ANY DISPENSING FEE THAT  
7 IS PRORATED. THE INSURER OR HEALTH MAINTENANCE ORGANIZATION SHALL  
8 ONLY PAY OR REIMBURSE A DISPENSING FEE THAT IS BASED ON EACH  
9 MAINTENANCE PRESCRIPTION DRUG DISPENSED.

10 Enacting section 1. This amendatory act applies to policies,  
11 certificates, and contracts delivered, executed, issued, amended,  
12 adjusted, or renewed in this state, or outside of this state if  
13 covering residents of this state, beginning 365 days after the date  
14 this amendatory act is enacted into law.