

CHAPTER 120
HB 584 – FINAL VERSION

8Jan2014... 0600h

2014 SESSION

13-0523
01/09

HOUSE BILL **584**

AN ACT relative to covered prescription drugs.

SPONSORS: Rep. Rosenwald, Hills 30; Rep. M. MacKay, Hills 30; Rep. D. McGuire, Merr 21;
Rep. Kurk, Hills 2; Sen. Reagan, Dist 17; Sen. Lasky, Dist 13; Sen. Gilmour,
Dist 12

COMMITTEE: Health, Human Services and Elderly Affairs

ANALYSIS

This bill requires insurers to allow covered persons to purchase their 90-day supply of covered prescription drugs at the pharmacy of their choice.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fourteen

AN ACT relative to covered prescription drugs.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 120:1 Covered Prescription Drugs. Amend RSA 415:6-aa to read as follows:

2 415:6-aa 90-Day Supply of Covered Prescription Drugs. An insurer issuing or renewing accident
3 and health insurance policies shall allow its insureds to purchase an up-to-90-day supply of covered
4 prescription drugs on the covered person's health plan formulary at one time ***at a pharmacy of the***
5 ***insured's choice within the insurer's network***, provided that the insured can demonstrate that
6 such drug has been taken by the insured for a continuous period of one year and provided that such
7 drug is not subject to the health plan's utilization management, prior authorization, or pre-
8 certification requirements. Controlled substances as identified by the United States Drug
9 Enforcement Administration are exempt from this section. Nothing in this section shall be
10 construed to limit the health plan's ability to establish co-payments, coinsurance deductibles, or
11 other member cost shares. A ***retail*** pharmacy dispensing a 90-day supply of covered prescription
12 drugs under this section shall comply with any specified terms, conditions, and [~~price~~]
13 ***reimbursement rate*** which the plan may require for ***mail order*** pharmacies that fill 90-day
14 prescriptions.

15 120:2 Covered Prescription Drugs; Managed Care. Amend RSA 420-J:7-b, VIII to read as
16 follows:

17 VIII. Every health benefit plan that provides prescription drug benefits shall allow its
18 covered persons to purchase an up-to-90-day supply of covered prescription drugs on the covered
19 person's health benefit plan formulary at one time ***at a pharmacy of the insured's choice within***
20 ***the insurer's network***, provided that the insured can demonstrate that such drug has been taken
21 by the insured for a continuous period of one year and provided that such drug is not subject to the
22 health benefit plan's utilization management, prior authorization, or pre-certification requirements.
23 Controlled substances as identified by the United States Drug Enforcement Administration are
24 exempt from this paragraph. Nothing in this paragraph shall be construed to limit the health
25 benefit plan's ability to establish co-payments, coinsurance deductibles, or other member cost shares.
26 A ***retail*** pharmacy dispensing a 90-day supply of covered prescription drugs under this paragraph
27 shall comply with any specified terms, conditions, and [~~price~~] ***reimbursement rate*** which the health
28 benefit plan may require for ***mail order*** pharmacies that fill 90-day prescriptions

29 120:3 Effective Date. This act shall take effect 60 days after its passage.

1 Approved: June 16, 2014

Effective Date: August 15, 2014