

2016 -- S 2822

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Senator Gayle L. Goldin

Date Introduced: March 23, 2016

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness  
2 Insurance Policies" is hereby amended by adding thereto the following section:

3 **27-18-50.1. Medication synchronization.** – (a) An individual or group health insurance  
4 policy providing prescription drug coverage in the state must permit and apply a prorated daily  
5 cost-sharing rate to prescriptions that are dispensed by a network pharmacy for less than a thirty  
6 (30) days' supply if the prescriber or pharmacist determines the fill or refill to be in the best  
7 interest of the patient and the patient requests or agrees to less than a thirty (30) days' supply for  
8 the purpose of synchronizing the patient's medications.

9 No individual or group health insurance policy providing prescription drug coverage shall  
10 deny coverage for the dispensing of a chronic medication that is made in accordance with a plan  
11 among the health plan, individual beneficiary or group plan, a practitioner and a pharmacist for  
12 the purpose of synchronizing the filling or refilling of multiple prescriptions for the insured. The  
13 individual or group health plan must allow a pharmacy to override any denial codes indicating  
14 that a prescription is being refilled too soon for the purposes of medication synchronization.

15 No individual or group health insurance policy providing prescription drug coverage shall  
16 use payment structures incorporating prorated dispensing fees. Dispensing fees for partially filled  
17 or refilled prescriptions shall be paid in full for each prescription dispensed, regardless of any  
18 pro- rated copay for the beneficiary or fee paid for alignment services.

19 (b) A pharmacist may exercise their professional judgment in refilling a prescription for a

1 quantity of a drug greater than the initial quantity of a drug prescribed by the prescribing  
2 practitioner, provided:

3 (1) Such refill is made after the patient's initial prescription is dispensed;

4 (2) Such refill does not exceed a ninety (90) days' supply of such drug and does not  
5 exceed the total quantity of such drug authorized by the prescribing practitioner;

6 (3) The prescribing practitioner has not indicated that the initial quantity or refill quantity  
7 of the prescribed drug shall not be changed;

8 (4) Such drug is not a controlled drug, as listed in §21-28-2.08;

9 (5) The pharmacist informs the prescribing practitioner of such refill at the earliest  
10 reasonable time, but not later than forty-eight (48) hours after such refill is made; and

11 (6) The patient's health insurance policy or health benefit plan, if any, will cover the refill  
12 quantity dispensed, without additional coinsurance, deductible or other out-of-pocket expense  
13 required from the patient.

14 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would authorize pharmacies to dispense prescriptions of less than a thirty (30)  
2 day supply for the purpose of synchronizing a patient's medications. Additionally, the act would  
3 permit pharmacists to dispense a ninety (90) day supply upon refilling a patient's original  
4 prescription under certain circumstances.

5           This act would take effect upon passage.

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