

# State Corporation Commission

## 2018 Fiscal Impact Statement

**1. Bill Number:** SB933

**House of Origin**    ☐ Introduced    ☒ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Saslaw

**3. Committee:** Passed Senate

**4. Title:** Health insurance; copayments for prescription drugs; disclosures.

**5. Summary:** Provides that no provider contract between a health carrier or its pharmacy benefits manager and a pharmacy or its contracting agent shall contain a provision (i) authorizing the carrier or its pharmacy benefits manager to charge, (ii) requiring the pharmacy or pharmacist to collect, or (iii) requiring an enrollee to make, a copayment for a covered prescription drug in an amount that exceeds the least of the applicable copayment for the prescription drug that would be payable in the absence of this section; or the cash price the enrollee would pay for the prescription drug if the enrollee purchased the prescription drug without using the enrollee's health plan. Provider contracts between a health carrier or its pharmacy benefits manager and a pharmacy or its contracting agent shall contain specific provisions that allow a pharmacy to disclose to an enrollee information relating to the provisions of this section and the availability of a more affordable therapeutically equivalent prescription drug; sell a more affordable therapeutically equivalent prescription drug to an enrollee if one is available; offer and provide direct and limited delivery services to an enrollee as an ancillary service of the pharmacy. This section shall apply with respect to provider contracts entered into, amended, extended, or renewed on or after January 1, 2019.

**6. Budget amendment necessary:** No

**7. Fiscal Impact Estimates:** No Fiscal Impact on the State Corporation Commission

**8. Fiscal Implications:** None on the State Corporation Commission

**9. Specific agency or political subdivisions affected:** State Corporation Commission Bureau of Insurance

**10. Technical amendment necessary:** No

**11. Other comments:** Senate Bill 933 is now identical to the amendment in the nature of a substitute to House Bill 1177. House Bill 572, which was identical to Senate Bill 933, was stricken at the request of its patron in House Commerce and Labor. House Bill 1301, which was similar to Senate Bill 933, was tabled in House Commerce and Labor.

**Date:** 02/12/18/V. Tompkins