

SENATE BILL NO. 1156

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR NURRENBERN.

3850S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 376, RSMo, by adding thereto one new section relating to insurance coverage for prescription insulin drugs.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 376, RSMo, is amended by adding thereto
2 one new section, to be known as section 376.389, to read as
3 follows:

376.389. 1. As used in this section, the following
2 terms shall mean:

3 (1) "Cost-sharing", expenses imposed on an enrollee
4 for a covered health care service under the enrollee's
5 health benefit plan including, but not limited to,
6 deductibles, co-payments, and coinsurance;

7 (2) "Drug", the same meaning as is ascribed to such
8 term in section 376.1350;

9 (3) "Enrollee", the same meaning as is ascribed to
10 such term in section 376.1350;

11 (4) "Health benefit plan", the same meaning as is
12 ascribed to such term in section 376.1350;

13 (5) "Health care service", the same meaning as is
14 ascribed to such term in section 376.1350;

15 (6) "Health carrier", the same meaning as is ascribed
16 to such term in section 376.1350;

17 (7) "Pharmacy", the same meaning as is ascribed to
18 such term in section 338.210;

19 (8) "Prescription insulin drug", a drug that contains
20 insulin and is used to control blood glucose levels to treat
21 diabetes, except that such term shall not include an insulin
22 drug that is administered to a patient intravenously;

23 (9) "Rebate", any discount, negotiated concession, or
24 other payment provided by a pharmaceutical manufacturer,
25 pharmacy, or health benefit plan to an entity to sell,
26 provide, pay, or reimburse a pharmacy or other entity in the
27 state for the dispensing or administration of drugs on
28 behalf of itself or another entity;

29 (10) "Trade secret", the same meaning as is ascribed
30 to such term in section 417.453.

31 2. No health benefit plan that provides coverage for
32 prescription insulin drugs shall impose cost-sharing on an
33 enrollee in excess of thirty dollars per thirty-day supply
34 of a prescription insulin drug.

35 3. (1) An enrollee's cost-sharing for prescription
36 insulin drugs shall be calculated at the point of sale based
37 on a drug price that is reduced by an amount equal to at
38 least one hundred percent of all rebates received, or to be
39 received, in connection with the dispensing or
40 administration of the drug.

41 (2) Nothing in this subsection shall prohibit a co-
42 payment not calculated based on drug price, provided that
43 the co-payment does not exceed the reduced price of the drug.

44 (3) Nothing in this subsection shall preclude a health
45 carrier from reducing a covered individual's cost-sharing
46 for a prescription insulin drug by an amount greater than
47 that required under this subsection.

48 (4) In complying with the provisions of this
49 subsection, no health carrier or its agents shall be
50 required to publish or otherwise reveal information
51 regarding the actual amount of rebates a health carrier
52 receives on a product, manufacturer, or pharmacy-specific
53 basis. Such information shall be protected as a trade
54 secret, shall not be a public record under chapter 610, and
55 shall not be disclosed directly or indirectly. A health
56 carrier shall impose the confidentiality protections of this
57 section on any vendor or other third party that performs
58 health care or administrative services on behalf of the
59 health carrier and that may receive or have access to rebate
60 information.

61 4. If any provision of this section or the application
62 thereof to anyone or to any circumstance is held invalid,
63 the remainder of this section and the application of such
64 provisions to others or other circumstances shall not be
65 affected thereby.

66 5. This section shall apply to health benefit plans
67 delivered, issued for delivery, continued, or renewed on or
68 after January 1, 2027.

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