

SENATE BILL No. 381

By Committee on Financial Institutions and Insurance

1-28

1 AN ACT concerning insurance; relating to certain health benefit plans;
2 prescription drug refills.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. (a) As used in this act:

6 (1) "Health benefit plan" shall have the meaning ascribed to it in
7 K.S.A. 40-2256, and amendments thereto.

8 (2) "Insured" means an individual who is eligible to receive benefits
9 from the health benefit plan.

10 (3) "Prescription drugs" shall have the meaning ascribed to it in 21
11 C.F.R. 203.3 as in effect on July 1, 2016.

12 (4) "Utilization management" means any prior authorization, step
13 therapy or quantity limit protocols used by the health benefit plan.

14 (b) Every health benefit plan that provides coverage for prescription
15 drugs shall provide for synchronization of prescription drug refills on at
16 least one occasion per insured per year, provided all of the following
17 conditions are met:

18 (1) The prescription drugs are covered by the health benefit plan's
19 clinical coverage policy;

20 (2) the prescription drugs are maintenance medications as defined by
21 the health benefit plan and have available refill quantities at the time of
22 synchronization;

23 (3) the medications are not schedule II, III or IV substances;

24 (4) the insured meets all utilization management criteria specific to
25 the prescription drugs at the time of synchronization;

26 (5) the prescription drugs are of a formulation that can be safely split
27 into short-fill periods to achieve synchronization; and

28 (6) the prescription drugs do not have special handling or sourcing
29 needs as determined by the policy, contract or agreement that require a
30 single, designated pharmacy to fill or refill the prescription.

31 (c) When necessary to permit synchronization, the health benefit plan
32 shall apply a prorated daily cost-sharing rate to any medication dispensed
33 by a network pharmacy pursuant to this section. No dispensing fees shall
34 be prorated and all dispensing fees shall be based on the number of
35 prescriptions filled or refilled.

36 Sec. 2. This act shall take effect and be in force from and after its

- 1 publication in the statute book.