

SECOND REGULAR SESSION

HOUSE BILL NO. 2500

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SMITH (14).

Read 1st time March 28, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

5544L.01I

AN ACT

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

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

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

376.389. 1. Any health carrier or health benefit plan, as defined in section
2 376.1350, that provides prescription drug coverage shall provide coverage for all
3 medications prescribed by a physician or other health care provider with prescriptive
4 authority and any pharmacy that receives a valid, lawful prescription has a duty to
5 dispense the prescribed medication to the patient or the patient's agent without delay,
6 consistent with the normal time frame for filling any other prescription. If the prescribed
7 medication is not in stock, the pharmacy shall obtain the prescribed medication under the
8 pharmacy's standard procedures for ordering medications not in stock, including the
9 procedures of any entity that is affiliated with, owns, or franchises the pharmacy.
10 However, if the patient prefers, the prescription shall either be transferred to a local
11 pharmacy of the patient's choice or returned to the patient, as the patient directs.

12 2. Nothing in subsection 1 of this section shall interfere with a pharmacist's
13 screening for potential drug therapy problems due to therapeutic duplication, drug-disease
14 contraindications, drug-drug interactions, including serious interactions with

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 nonprescription or over-the-counter drugs, drug food interactions, incorrect drug dosage
16 or duration of drug treatment, drug-allergy interactions, or clinical abuse or misuse.
17 3. Violation of the provisions of this section shall subject the health carrier or
18 licensed pharmacy to disciplinary action by their respective licensing boards.

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