

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1632, Page 1, Section A, Line 2, by inserting after all of said section and line the
2 following:

3
4 "376.448. 1. As used in this section, the following terms mean:

5 (1) "Cost-sharing", any co-payment, coinsurance, deductible, amount paid by an enrollee for health
6 care services in excess of a coverage limitation, or similar charge required by or on behalf of an enrollee in
7 order to receive a specific health care service covered by a health benefit plan, whether covered under
8 medical benefits or pharmacy benefits. The term "cost-sharing" shall include cost-sharing as defined in 42
9 U.S.C. Section 18022(c);

10 (2) "Enrollee", the same meaning given to the term in section 376.1350;

11 (3) "Health benefit plan", the same meaning given to the term in section 376.1350;

12 (4) "Health care service", the same meaning given to the term in section 376.1350;

13 (5) "Health carrier", the same meaning given to the term in section 376.1350;

14 (6) "Pharmacy benefits manager", the same meaning given to the term in section 376.388.

15 2. When calculating an enrollee's overall contribution to any out-of-pocket maximum or any cost-
16 sharing requirement under a health benefit plan, a health carrier or pharmacy benefits manager shall include
17 any amounts paid by the enrollee or paid on behalf of the enrollee for any medication where a generic
18 substitute for such medication is not available.

19 3. If, under federal law, application of the requirement under subsection 2 of this section would result
20 in health savings account ineligibility under Section 223 of the Internal Revenue Code, the requirement under
21 subsection 2 of this section shall apply to health savings account-qualified high deductible health plans with
22 respect to any cost-sharing of such a plan after the enrollee has satisfied the minimum deductible under
23 Section 223, except with respect to items or services that are preventive care under Section 223(c)(2)(C) of
24 the Internal Revenue Code, in which case the requirement of subsection 2 of this section shall apply
25 regardless of whether the minimum deductible under Section 223 has been satisfied.

26 4. Nothing in this section shall prohibit a health carrier or health benefit plan from utilizing step
27 therapy in accordance with section 376.2034.

28 5. Nothing in this section shall apply to health benefit plans not subject to the insurance laws and
29 regulations of this state."; and

30
31 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____