

HCS HB 1195 -- ACCESS TO MEDICAL PRODUCTS

SPONSOR: Pouche

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Health and Mental Health by a vote of 13 to 0.

The following is a summary of the House Committee Substitute for HB 1195.

DISPENSATION OF INSULIN (Sections 338.010 and 338.740)

This bill expands the practice of pharmacy to include the dispensing of an emergency supply of insulin.

A pharmacist may dispense an emergency supply of insulin to a patient without a current, valid prescription if:

(1) The pharmacist attempts but is unable to obtain authorization to refill the prescription from the prescribing provider;

(2) The pharmacist has a record of prescription or has been presented proof of a recent prescription, or in the pharmacist's judgment the refusal to dispense an emergency supply of insulin will endanger the patient's health;

(3) The amount of insulin dispensed does not exceed the amount of the most recent prescription or the standard quantity or unit-of-use package of the drug; and

(4) The prescriber of the drug has not indicated that no emergency refills are authorized.

A pharmacist, the pharmacist's employer, and the original prescriber are not civilly liable for an act or omission in connection with dispensing insulin under the provisions of this bill unless the act or omission constitutes negligence, recklessness, or willful or wanton misconduct.

The Board of Pharmacy, in consultation with the State Board of Registration for the Healing Arts and the State Board of Nursing, must adopt rules to establish standard procedures for pharmacists to follow in dispensing insulin, as specified in the bill.

COST OF PRESCRIPTIONS (Sections 376.687 and 376.689)

This bill requires insurers that provide coverage for diabetes devices, epinephrine delivery devices, or prescription insulin

drugs to limit the total amount that an insured is required to pay for the following:

- (1) For a 30 day supply of covered and prescribed insulin drugs, not more than \$35;
- (2) For one covered and prescribed diabetes device, not more than \$100; and
- (3) For one covered epinephrine delivery device, not more than \$100.

The limit can increase yearly based on a percentage equal to the percentage change from the preceding year in the medical care component of the Consumer Price Index.

The Department of Commerce and Insurance, in conjunction with the Department of Health and Senior Services, and the Department of Social Services, must make a report available to the public of findings from each department, as specified in the bill, by October 31, 2025.

This provision terminates on January 1, 2026.

#### PHARMACY BENEFIT MANAGERS (Section 1)

This bill prohibits pharmacy benefits managers from reimbursing pharmacies less than the actual acquisition cost of a drug for each drug dispensed by the pharmacy. In addition to the reimbursement amount, the bill requires pharmacy benefits managers to pay to the pharmacy a dispensing fee of at least \$15 for each dispensed prescription drug.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

**PROPONENTS:** Supporters say that poorly managed diabetes has major implications for public health, including lost revenue and increased funding requirements. Twenty-five other states have passed similar legislation, and in each of those states, there was a negligible difference on the cost of premiums paid by other members.

Testifying in person for the bill were Representative Pouche; Arnie C. Dienoff; Areeb Hasan; Missouri Pharmacy Association; Atiksh Chandra; Alexander Korfiatis; and Ameya Padakanti.

**OPPONENTS:** There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that many members of the Missouri Insurance Coalition are offering this type of program or plan.

Testifying in person on the bill was Hampton Williams, Missouri Insurance Coalition.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.