

SECOND REGULAR SESSION

HOUSE BILL NO. 3418

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GALLICK.

7201H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 376.392, RSMo, and to enact in lieu thereof one new section relating to prescription drug coverage.

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

Section A. Section 376.392, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 376.392, to read as follows:

376.392. **1. As used in this section, the terms "enrollee", "health benefit plan", and "health carrier" shall have the same meanings given to the terms in section 376.1350, and the term "pharmacy benefits manager" shall have the same meaning given to the term in section 376.388.**

2. For any health carrier or health benefit plan~~[, as defined in section 376.1350,]~~ that provides prescription drug coverage or contracts with a third-party for prescription drug services, the health carrier or health benefit plan shall notify enrollees presently taking a prescription drug electronically, or in writing, upon request of the enrollee, at least thirty days prior to any deletions, other than generic substitutions, in the health carrier's or health benefit plan's prescription drug formulary that affect such enrollees.

3. Notwithstanding the provisions of sections 376.2030 to 376.2036 or any other provision of law to the contrary, a pharmacy benefits manager shall not require an enrollee who has been taking a particular prescription drug for more than one year and who received coverage of that drug under the enrollee's health benefit plan to take a different drug in order to receive coverage under the enrollee's health benefit plan.

✓

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.