

# SENATE BILL NO. 283

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR ARTHUR.

0315S.02I

KRISTINA MARTIN, Secretary

## AN ACT

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

*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 known as section 376.389, to read as follows:

**376.389. 1. As used in this section, the following terms shall mean:**

(1) "Cost-sharing", expenses imposed on an enrollee for a covered health care service under the enrollee's health benefit plan, including but not limited to deductibles, co-payments, and coinsurance;

(2) "Drug", the same meaning as is ascribed to such term in section 376.1350;

(3) "Enrollee", the same meaning as is ascribed to such term in section 376.1350;

(4) "Health benefit plan", the same meaning as is ascribed to such term in section 376.1350;

(5) "Health care service", the same meaning as is ascribed to such term in section 376.1350;

(6) "Health carrier", the same meaning as is ascribed to such term in section 376.1350;

(7) "Prescription insulin drug", a drug that contains insulin and is used to control blood glucose levels to treat

19 diabetes, except that such term shall not include an insulin  
20 drug that is administered to a patient intravenously;

21 (8) "Pharmacy", the same meaning as is ascribed to  
22 such term in section 338.210;

23 (9) "Rebate", any discount, negotiated concession, or  
24 other payment provided by a pharmaceutical manufacturer,  
25 pharmacy, or health benefit plan to an entity to sell,  
26 provide, pay, or reimburse a pharmacy or other entity in the  
27 state for the dispensing or administration of drugs on  
28 behalf of itself or another entity;

29 (10) "Trade secret", the same meaning as is ascribed  
30 to such term in section 417.4523.

31 2. No health benefit plan that provides coverage for  
32 prescription insulin drugs shall impose cost-sharing on an  
33 enrollee in excess of thirty dollars per thirty day supply  
34 of a prescription insulin drug.

35 3. (1) An enrollee's cost-sharing for prescription  
36 insulin drugs shall be calculated at the point of sale based  
37 on a drug price that is reduced by an amount equal to at  
38 least one hundred percent of all rebates received, or to be  
39 received, in connection with the dispensing or  
40 administration of the drug.

41 (2) Nothing in this subsection shall prohibit a  
42 copayment not calculated based on drug price, provided that  
43 the copayment does not exceed the reduced price of the drug.

44 (3) Nothing in this subsection shall preclude a health  
45 carrier from reducing a covered individual's cost-sharing  
46 for a prescription insulin drug by an amount greater than  
47 that required under this subsection.

48 (4) In complying with the provisions of this  
49 subsection, no health carrier or its agents shall be  
50 required to publish or otherwise reveal information

51 regarding the actual amount of rebates a health carrier  
52 receives on a product, manufacturer, or pharmacy-specific  
53 basis. Such information shall be protected as a trade  
54 secret, shall not be a public record under chapter 610, and  
55 shall not be disclosed directly or indirectly. A health  
56 carrier shall impose the confidentiality protections of this  
57 section on any vendor or other third party that performs  
58 health care or administrative services on behalf of the  
59 health carrier and which may receive or have access to  
60 rebate information.

61 4. If any provision of this section or the application  
62 thereof to anyone or to any circumstance is held invalid,  
63 the remainder of this section and the application of such  
64 provisions to others or other circumstances shall not be  
65 affected thereby.

66 5. This section shall apply to health benefit plans  
67 delivered, issued for delivery, continued, or renewed on or  
68 after January 1, 2024.

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