

SENATE No. 625

The Commonwealth of Massachusetts

PRESENTED BY:

Michael O. Moore

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to patient access.

PETITION OF:

NAME:

Michael O. Moore

DISTRICT/ADDRESS:

Second Worcester

SENATE No. 625

By Mr. Moore, a petition (accompanied by bill, Senate, No. 625) of Michael O. Moore for legislation relative to patient access. Health Care Financing.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act relative to patient access.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Sections 131 and 201 of Chapter 139 of the Acts of 2012 are hereby
2 repealed.

3 SECTION 2: Section 226 of Chapter 139 of the Acts of 2012, as amended by Section 2
4 of Chapter 441 of the Acts of 2014, is hereby repealed.

5 SECTION 3: Notwithstanding any special or general law to the contrary, not later than
6 December 31, 2017, the health policy commission, in consultation with the department of public
7 health, shall conduct and complete an analysis of the impact on health care costs of the use of co-
8 pay assistance programs, including without limitation discounts, rebates, product vouchers or
9 other reductions in an individual’s out of pocket expenses for biological products and
10 prescription drugs authorized under section 3 of chapter 175H from August 1, 2012 to July 31,
11 2017. The report shall include, but not be limited to: (i) the total number of purchase transactions
12 for biological products and prescription drugs for which out-of-pocket expenses were reduced by
13 one or more co-pay assistance programs,; (ii) the total value of the savings in such out-of-pocket

14 expenses derived by purchasers as a result of co-pay assistance programs; (iii) an analysis of the
15 types of biological products and prescription drugs for which co-pay assistance programs were
16 most frequently utilized; (iv) a comparison of any change in utilization of generic versus brand
17 name prescription drugs associated with the utilization of co-pay assistance programs; (v) the
18 effect of co-pay assistance programs on patient adherence to prescribed drugs; and (vi) an
19 analysis of the availability of co-pay assistance programs upon renewals. To conduct its
20 evaluation, the commission may contract with an outside organization with expertise in the
21 analysis of health care financing. In conducting its evaluation, the commission may require that
22 manufacturers of biological products and prescription drugs report on the number and types co-
23 pay assistance programs that such manufacturers have utilized in the commonwealth. The
24 commission shall file a report of its findings with the clerks of the senate and house of
25 representatives, the house and senate committees on ways and means and the joint committee on
26 health care financing.