

2023 -- S 0575

LC001879

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO INSURANCE -- PRESCRIPTION DRUG BENEFITS

Introduced By: Senators Lauria, Miller, Ujifusa, Bell, Murray, Euer, Kallman, Lawson,  
DiMario, and Valverde

Date Introduced: March 07, 2023

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-20.8 of the General Laws entitled "Prescription Drug Benefits" is  
2 hereby amended by adding thereto the following section:

3 **27-20.8-5. Co-pay cap for prescription epinephrine auto injectors.**

4 (a) As used in this section, unless the context otherwise requires, "prescription epinephrine  
5 auto injectors" or "epi-pens" means a device that delivers the drug epinephrine, that is used when  
6 a person is experiencing a severe allergic reaction, known as anaphylaxis.

7 (b) A health plan that provides coverage for prescription epinephrine auto injectors,  
8 pursuant to the terms of a health coverage plan the health plan offers, shall cap the total amount  
9 that a covered person is required to pay for a covered prescription epinephrine auto injector at an  
10 amount not to exceed thirty-five dollars (\$35.00), per thirty (30) day supply of epinephrine auto  
11 injectors. Coverage for prescription epinephrine auto injectors shall not be subject to any  
12 deductible.

13 (c) Nothing in this section prevents a health plan from reducing a covered person's cost to  
14 an amount less than the amount specified in subsection (b) of this section.

15 (d) The office of the health insurance commissioner may promulgate rules and regulations  
16 as necessary to implement and administer this section and to align with federal requirements.

17 (e) The office of the health insurance commissioner may use any of its enforcement powers  
18 to obtain a health plan's compliance with this section.

1 SECTION 2. This act shall take effect upon passage.

=====  
LC001879  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO INSURANCE -- PRESCRIPTION DRUG BENEFITS

\*\*\*

- 1           This act would require health plans that provide coverage for prescription epinephrine auto
- 2 injectors (epi-pens) to charge no more than thirty-five dollars (\$35.00) for a thirty (30) day supply.
- 3 Coverage for prescription epinephrine auto injectors would not be subject to any deductible.
- 4           This act would take effect upon passage.

=====  
LC001879  
=====