
SUBSTITUTE SENATE BILL 5744

State of Washington

65th Legislature

2017 Regular Session

By Senate Health Care (originally sponsored by Senators Kuderer and Keiser)

1 AN ACT Relating to prescription coverage and the use of mail
2 order service; and adding a new section to chapter 48.43 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.43
5 RCW to read as follows:

6 (1) Health carriers, for health plans issued or renewed on or
7 after January 1, 2018, that include prescription drug coverage, must
8 ensure enrollees are protected from unintentional use of or
9 enrollment in mail order prescription drug services.

10 (2) The health carrier must include in any contract with a
11 pharmacy benefit manager, as defined in RCW 19.340.010, a requirement
12 that the pharmacy benefit manager or its agents obtain affirmative
13 authorization, in writing or through electronic communication, from a
14 health plan enrollee prior to filling an enrollee's prescription
15 through a mail order prescription drug service. The authorization
16 from the enrollee may permit the use of a mail order service for the
17 plan year.

18 (3) Each mail order prescription drug shipment must include a
19 notice to the enrollee clearly describing the actions that the
20 enrollee can take to terminate use of the mail order service.

1 (4) The health plan must include information in the enrollee
2 health plan booklet explaining the requirement to obtain the
3 enrollee's affirmative authorization prior to filling a prescription
4 through a mail order prescription drug service.

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