

1 S.193

2 Introduced by Senator Lyons

3 Referred to Committee on

4 Date:

5 Subject: Health; prescription drugs; Healthy Vermonters; therapeutic
6 substitutions

7 Statement of purpose of bill as introduced: This bill proposes to direct certain
8 State agencies to explore strategies for reducing prescription drug costs for
9 Vermonters. It would also direct the Agency of Human Services to coordinate
10 with a Vermont resource center to provide information to the public regarding
11 the availability of prescription drug financial assistance programs.

12 An act relating to strategies for reducing prescription drug costs for
13 Vermonters

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. DEPARTMENT OF VERMONT HEALTH ACCESS;

16 PRESCRIPTION DRUGS; OUT-OF-POCKET COSTS; REPORT

17 (a) The Department of Vermont Health Access shall consider and evaluate
18 options for addressing Vermonters' high out-of-pocket costs for prescription
19 drugs, including:

1 (1) expanding eligibility for the Healthy Vermonters program and
2 increasing the numbers of drugs that the program makes available to enrollees
3 at lower prices;

4 (2) modifying the Healthy Vermonters program or adopting a 340B
5 contract pricing program, or both, to provide more Vermonters with access to
6 prescription drugs with limited or no cost-sharing requirements; and

7 (3) expanding eligibility for Vermont’s Medicare Savings Programs.

8 (b) On or before January 15, 2023, the Department of Vermont Health
9 Access shall report to the House Committees on Health Care and on Human
10 Services and the Senate Committee on Health and Welfare with the
11 Department’s findings and recommendations, including the advantages and
12 disadvantages of the options described in subdivisions (a)(1)–(3) of this section
13 and any other options the Department identifies to address out-of-pocket costs
14 for prescription drugs, along with a cost estimate for each option.

15 Sec. 2. REGULATION OF PRIVATE PHARMACY DISCOUNT

16 PROGRAMS; REPORT

17 The Green Mountain Care Board, in collaboration with the Department of
18 Financial Regulation and the Office of the Attorney General, shall examine
19 issues relating to the regulation of private pharmacy discount programs,
20 including pharmacy participation fees, the sale of participant data, and
21 prescription drug manufacturer coupons. On or before January 15, 2023, the

1 Board shall recommend to the House Committees on Health Care and on
2 Human Services and the Senate Committee on Health and Welfare whether
3 and how these programs could be used to minimize impacts on pharmacies and
4 maximize their usefulness for patients while protecting patient privacy.

5 Sec. 3. AGENCY OF HUMAN SERVICES; PRESCRIPTION DRUG
6 ASSISTANCE PROGRAMS; PUBLIC INFORMATION

7 The Agency of Human Services shall coordinate with a resource center in
8 this State to provide information to the public regarding prescription drug
9 financial assistance programs, including State prescription drug programs, such
10 as Healthy Vermonters; Medicare Savings Programs; prescription drug
11 manufacturer programs; sliding scale fees available through the federally
12 qualified health centers; and hospital charity care policies.

13 Sec. 4. DEPARTMENT OF HEALTH; PHARMACISTS; THERAPEUTIC
14 SUBSTITUTIONS; REPORT

15 On or before January 15, 2023, the Department of Health, in consultation
16 with the Board of Pharmacy, shall provide recommendations to the House
17 Committees on Health Care and on Human Services and the Senate Committee
18 on Health and Welfare regarding the statutory changes needed to remove
19 barriers to pharmacists making therapeutic substitutions for purposes of
20 reducing prescription drug costs to consumers.

- 1 Sec. 5. EFFECTIVE DATE
- 2 This act shall take effect on passage.