

SENATE FILE 102

COMMERCE

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LAMBERTI, BOETTGER, and BEHN

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the establishment of a prescription drug
2 assistance program by the commissioner of insurance, and
3 providing for a contingent appropriation.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SE 102
COMMERCE

1 Section 1. NEW SECTION. 505.26 PRESCRIPTION DRUG
2 ASSISTANCE PROGRAM.

3 1. The commissioner of insurance shall establish and
4 administer a prescription drug assistance program to improve
5 access to prescription drugs for individuals who have no or
6 inadequate health insurance or other resources for the
7 purchase of medically necessary prescription drugs and to
8 assist individuals in accessing programs offered by
9 pharmaceutical manufacturers that provide free or discounted
10 prescription drugs or provide coverage for prescription drugs.

11 2. The commissioner of insurance shall utilize computer
12 software programs to do all of the following:

13 a. Provide a clearinghouse to assist individuals in
14 accessing manufacturer-sponsored prescription drug assistance
15 programs for which they may be eligible, including listing the
16 eligibility requirements for pharmaceutical assistance
17 programs offered by manufacturers.

18 b. Disseminate information about and assist individuals in
19 assessing pharmaceutical discount or insurance programs that
20 may be beneficial.

21 c. Serve as a resource for pharmaceutical benefit issues.

22 d. Assist individuals in making application to and
23 enrolling in the pharmaceutical assistance program most
24 appropriate for the individual.

25 e. Maintain a listing of community-based pharmacy
26 assistance programs for additional assistance.

27 3. The commissioner of insurance shall provide information
28 to pharmacies, physicians, other appropriate health care
29 providers, and the general public regarding the program and
30 about manufacturer-sponsored prescription drug assistance
31 programs.

32 4. The commissioner of insurance shall notify
33 pharmaceutical manufacturers doing business in this state of
34 the prescription drug assistance program, and every
35 pharmaceutical manufacturer that does business in this state

1 that offers a pharmaceutical assistance program shall notify
2 the commissioner of the existence of the program, the
3 prescription drugs covered by the program, and all information
4 necessary for application for assistance through the program.
5 The commissioner of insurance shall provide for ongoing review
6 and assessment of pharmaceutical discount or insurance
7 programs.

8 5. The commissioner of insurance shall monitor and
9 evaluate the prescription drug assistance program including
10 but not limited to the number of individuals served, the
11 length and types of services provided, and any other
12 measurable data available to assess the effectiveness of the
13 program. The commissioner shall make recommendations for
14 improvement of the program and shall identify and make
15 recommendations regarding additional strategies to improve
16 access to prescription drugs for citizens who have no or
17 inadequate health insurance or other resources for the
18 purchase of prescription drugs.

19 6. The commissioner of insurance shall submit a report
20 regarding the effectiveness of the program and including any
21 recommendations for improvement of the program to the governor
22 and the general assembly on or before December 15, annually.

23 Sec. 2. PRESCRIPTION DRUG ASSISTANCE PROGRAM -- FUNDING --
24 CONTINGENT APPROPRIATION.

25 1. The commissioner of insurance shall seek federal
26 funding to establish and administer the prescription drug
27 assistance program pursuant to section 505.26.

28 2. If federal funding is not received pursuant to
29 subsection 1 before October 1, 2005, as certified by the
30 commissioner of insurance, there is appropriated from the
31 senior living trust fund created in section 249H.4 to the
32 insurance division of the department of commerce beginning
33 October 1, 2005, and ending June 30, 2006, the following
34 amount, or so much thereof as is necessary, to be used for the
35 purpose designated:

1 For the establishment and administration of the
2 prescription drug assistance program pursuant to section
3 505.26:

4 \$ 250,000

5 EXPLANATION

6 This bill directs the commissioner of insurance to
7 establish and administer a prescription drug assistance
8 program to improve access to prescription drugs for
9 individuals and to assist individuals in accessing programs
10 offered by pharmaceutical manufacturers that provide free or
11 discounted prescription drugs or provide coverage for
12 prescription drugs.

13 The bill directs the commissioner of insurance to utilize
14 computer software programs to provide a clearinghouse to
15 assist individuals in accessing manufacturer-sponsored
16 prescription drug assistance programs for which they may be
17 eligible; disseminate information about and assist citizens in
18 assessing pharmaceutical discount or insurance programs that
19 may be beneficial; serve as a resource for pharmaceutical
20 benefit issues; assist individuals in making application to
21 and enrolling in the pharmaceutical assistance program most
22 appropriate for the individual; and maintain a listing of
23 community-based pharmacy assistance programs for additional
24 assistance.

25 The bill directs the commissioner of insurance to provide
26 information to pharmacies, physicians, other appropriate
27 health care providers, and the general public regarding the
28 program and about manufacturer-sponsored prescription drug
29 assistance programs.

30 The commissioner of insurance is to notify pharmaceutical
31 manufacturers doing business in the state of the prescription
32 drug assistance program, and every pharmaceutical manufacturer
33 that does business in the state that offers a pharmaceutical
34 assistance program is required to notify the commissioner of
35 the existence of the program, the prescription drugs covered

1 by the program, and all information necessary for application
2 for assistance through the program. The commissioner of
3 insurance is to provide for ongoing review and assessment of
4 pharmaceutical discount or insurance programs.

5 The bill directs the commissioner of insurance to monitor
6 and evaluate the prescription drug assistance program, to make
7 recommendations for improvement of the program, and to
8 identify and make recommendations regarding additional
9 strategies to improve access to prescription drugs for
10 individuals who have no or inadequate health insurance or
11 other resources for the purchase of prescription drugs.

12 The commissioner is to submit an annual report to the
13 governor and the general assembly regarding the effectiveness
14 of the program and including any recommendations for
15 improvement of the program.

16 The bill directs the commissioner of insurance to seek
17 federal funding to establish and administer the prescription
18 drug assistance program. However, if federal funding is not
19 received before October 1, 2005, the bill appropriates
20 \$250,000 from the senior living trust fund to the insurance
21 division of the department of commerce beginning October 1,
22 2005, and ending June 30, 2006, for the establishment and
23 administration of the program.

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