

Withdrawn
4/13/04

FILED MAR 03 '04

SENATE FILE 2229
BY COMMITTEE ON COMMERCE

(SUCCESSOR TO SF 2016)

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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SF 2229
COMMERCE

1 Section 1. NEW SECTION. 505.25 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 3. The commissioner of insurance shall provide information
26 to pharmacies, physicians, other appropriate health care
27 providers, and the general public regarding the program and
28 about manufacturer-sponsored prescription drug assistance
29 programs.

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

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

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

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

21 Sec. 2. PRESCRIPTION DRUG ASSISTANCE PROGRAM -- FUNDING --
22 CONTINGENT APPROPRIATION.

23 1. The commissioner of insurance shall seek federal
24 funding to establish and administer the prescription drug
25 assistance program pursuant to section 505.25.

26 2. If federal funding is not received pursuant to
27 subsection 1 before October 1, 2004, as certified by the
28 commissioner of insurance, there is appropriated from the
29 senior living trust fund created in section 249H.4 to the
30 insurance division of the department of commerce beginning
31 October 1, 2004, and ending June 30, 2005, the following
32 amount, or so much thereof as is necessary, to be used for the
33 purpose designated:

34 For the establishment and administration of the
35 prescription drug assistance program pursuant to section

1 505.25:

2 \$ 100,000

3 EXPLANATION

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

11 The bill directs the commissioner of insurance to utilize
12 computer software programs to: provide a clearinghouse to
13 assist individuals in accessing manufacturer-sponsored
14 prescription drug assistance programs for which they may be
15 eligible; disseminating information about and assisting
16 citizens in assessing pharmaceutical discount or insurance
17 programs that may be beneficial; serving as a resource for
18 pharmaceutical benefit issues; and assisting individuals in
19 making application to and enrolling in the pharmaceutical
20 assistance program most appropriate for the individual.

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

26 The commissioner of insurance is to notify pharmaceutical
27 manufacturers doing business in the state of the prescription
28 drug assistance program, and every pharmaceutical manufacturer
29 that does business in the state that offers a pharmaceutical
30 assistance program is required to notify the commissioner of
31 the existence of the program, the prescription drugs covered
32 by the program, and all information necessary for application
33 for assistance through the program. The commissioner of
34 insurance is to provide for ongoing review and assessment of
35 pharmaceutical discount or insurance programs.

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

8 The commissioner is to submit an annual report to the
9 governor and the general assembly regarding the effectiveness
10 of the program and including any recommendations for
11 improvement of the program.

12 The bill directs the commissioner of insurance to seek
13 federal funding to establish and administer the prescription
14 drug assistance program. However, if federal funding is not
15 received before October 1, 2004, the bill appropriates
16 \$100,000 from the senior living trust fund to the insurance
17 division of the department of commerce beginning October 1,
18 2004, and ending June 30, 2005, for the establishment and
19 administration of the program.

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SENATE FILE 2229**S-5287**

1 Amend Senate File 2229 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. NEW SECTION. 505.25 PRESCRIPTION
5 DRUG ASSISTANCE PROGRAM.
6 1. The commissioner of insurance shall establish
7 and administer a prescription drug assistance program
8 to improve access to prescription drugs for
9 individuals who have no or inadequate health insurance
10 or other resources for the purchase of medically
11 necessary prescription drugs and to assist individuals
12 in accessing programs offered by pharmaceutical
13 manufacturers that provide free or discounted
14 prescription drugs or provide coverage for
15 prescription drugs.
16 2. The commissioner of insurance shall utilize
17 computer software programs to do all of the following:
18 a. Provide a clearinghouse to assist individuals
19 in accessing manufacturer-sponsored prescription drug
20 assistance programs for which they may be eligible,
21 including listing the eligibility requirements for
22 pharmaceutical assistance programs offered by
23 manufacturers.
24 b. Disseminate information about and assist
25 individuals in assessing pharmaceutical discount or
26 insurance programs that may be beneficial.
27 c. Serve as a resource for pharmaceutical benefit
28 issues.
29 d. Assist individuals in making application to and
30 enrolling in the pharmaceutical assistance program
31 most appropriate for the individual.
32 e. Maintain a listing of community-based pharmacy
33 assistance programs for additional assistance.
34 3. The commissioner of insurance shall provide
35 information to pharmacies, physicians, other
36 appropriate health care providers, and the general
37 public regarding the program and about manufacturer-
38 sponsored prescription drug assistance programs.
39 4. The commissioner of insurance shall notify
40 pharmaceutical manufacturers doing business in this
41 state of the prescription drug assistance program, and
42 every pharmaceutical manufacturer that does business
43 in this state that offers a pharmaceutical assistance
44 program shall notify the commissioner of the existence
45 of the program, the prescription drugs covered by the
46 program, and all information necessary for application
47 for assistance through the program. The commissioner
48 of insurance shall provide for ongoing review and
49 assessment of pharmaceutical discount or insurance
50 programs.

S-5287

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

13 6. The commissioner of insurance shall submit a
 14 report regarding the effectiveness of the program and
 15 including any recommendations for improvement of the
 16 program to the governor and the general assembly on or
 17 before December 15, annually.

18 Sec. 2. PRESCRIPTION DRUG ASSISTANCE PROGRAM --
 19 FUNDING -- CONTINGENT APPROPRIATION.

20 1. The commissioner of insurance shall seek
 21 federal funding to establish and administer the
 22 prescription drug assistance program pursuant to
 23 section 505.25.

24 2. If federal funding is not received pursuant to
 25 subsection 1 before October 1, 2004, as certified by
 26 the commissioner of insurance, there is appropriated
 27 from the senior living trust fund created in section
 28 249H.4 to the insurance division of the department of
 29 commerce beginning October 1, 2004, and ending June
 30 30, 2005, the following amount, or so much thereof as
 31 is necessary, to be used for the purpose designated:

32 For the establishment and administration of the
 33 prescription drug assistance program pursuant to
 34 section 505.25:

35 \$ 250,000"

By NEAL SCHUERER