

House File 2033 - Introduced

HOUSE FILE 2033
BY BARKER

A BILL FOR

1 An Act relating to the provision of accessible
2 prescription-related measures for persons who are blind, have
3 a visual impairment, or other print disability.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. **155A.49 Accessible**
2 **prescription-related measures — persons who are blind, visually**
3 **impaired, or have other print disabilities.**

4 1. As used in this section, unless the context otherwise
5 requires, "*health carrier*" means an entity subject to the
6 insurance laws and regulations of this state, or subject to
7 the jurisdiction of the commissioner of insurance, including
8 an insurance company offering sickness and accident plans, a
9 health maintenance organization, a nonprofit health service
10 corporation, or a plan established pursuant to chapter 509A for
11 public employees. "*Health carrier*" does not include any of the
12 following:

13 a. The department of health and human services.

14 b. A policy or contract providing a prescription drug benefit
15 pursuant to 42 U.S.C. ch. 7, subch. XVIII, part D.

16 c. A plan offered or maintained by a multiple employer
17 welfare arrangement established under chapter 513D before January
18 1, 2022.

19 2. The board shall adopt rules pursuant to chapter 17A to
20 ensure that on or before January 1, 2027, if a person who
21 is blind, has a visual impairment, or other print disability
22 requests access to prescription drug labels, bag tags, and
23 medical guides, a pharmacy provides access to prescription drug
24 labels, bag tags, and medical guides, or refers the person to
25 a pharmacy within a reasonable distance that provides access
26 to prescription drug labels, bag tags, and medical guides.
27 The accessibility measures shall meet all of the following
28 requirements:

29 a. Be provided at no additional cost to such persons.

30 b. After a reasonable development period for the pharmacy,
31 provide required information on prescription drug labels, bag
32 tags, and medical guides in a format that is fully accessible
33 to such persons within a time frame comparable to a person that
34 is not blind, does not have a visual impairment, or other print
35 disability.

1 3. On or before April 1 of each year, the board shall publish
2 a list on the board's internet site that contains the pharmacies
3 that provide accessibility measures.

4 4. A health carrier shall pay an enhanced dispensing fee to
5 reimburse the costs associated with the accessibility measures
6 under this section.

7 5. This section shall apply to any pharmacy that is
8 dispensing prescription drugs in the state except for the
9 following:

10 a. An institutional pharmacy. For the purpose of this
11 subsection, "*institutional pharmacy*" means a pharmacy located
12 within a hospital, nursing home, or long-term care facility.

13 b. A pharmacy participating in a prescription drug donation
14 repository program pursuant to chapter 135M, if the drug being
15 dispensed was donated under the program.

16 c. A pharmacy in a jail, a state correctional institution, a
17 federal correctional facility, or a juvenile detention home.

18 6. In adopting rules under this section, the board shall
19 solicit input from persons who are blind, have a visual
20 impairment, or other print disability.

21 7. The rules adopted under this section shall meet all of the
22 following requirements:

23 a. Comply with current guidelines and recommendations from
24 the United States government accountability office, and current
25 industry standards.

26 b. Include a method for providing notice to the public that
27 accessible prescription drug labels, bag tags, and medical guides
28 are available, including notice regarding the availability of the
29 prescription drug labels, bag tags, and medical guides in audio
30 format.

31 Sec. 2. ACCESSIBLE PRESCRIPTION-RELATED MEASURES —
32 REPORT. The board of pharmacy shall submit a report to the
33 governor and the general assembly on or before January 1,
34 2028, that provides a summary of the progress on implementing
35 rules, and recommendations for additional measures to improve

1 accessibility.

2 EXPLANATION

3 The inclusion of this explanation does not constitute agreement with
4 the explanation's substance by the members of the general assembly.

5 This bill relates to the provision of accessible
6 prescription-related measures for persons who are blind, have a
7 visual impairment, or other print disability.

8 The bill requires the board of pharmacy (board) to adopt
9 administrative rules on or before January 1, 2027, to ensure
10 that if a person who is blind, has a visual impairment, or other
11 print disability requests access to prescription drug labels, bag
12 tags, and medical guides, a pharmacy provides access to such,
13 or refers the person to a pharmacy within a reasonable distance
14 that provides access to prescription drug labels, bag tags, and
15 medical guides.

16 The bill provides that accessibility measures shall be
17 provided by a pharmacy at no additional cost to such person;
18 and information required to be provided on prescription drug
19 labels, bag tags, and medical guides shall be provided in a
20 format that is fully accessible to such persons within a time
21 frame comparable to a person who is not blind, does not have a
22 visual impairment, or other print disability.

23 The bill requires the board to publish, on or before April 1
24 of each year, a list on the board's internet site of pharmacies
25 that provide accessibility measures.

26 Under the bill, a health carrier shall pay an enhanced
27 dispensing fee to pharmacies to reimburse the costs associated
28 with the bill. "Health carrier" is defined in the bill.

29 The bill applies to any pharmacy dispensing prescription drugs
30 in the state except for an institutional pharmacy; a pharmacy
31 participating in a prescription drug repository program under
32 Code chapter 135M, if the drug being dispensed was donated
33 under the program; a pharmacy in a jail, a state correctional
34 institution, a federal correctional facility, or a juvenile
35 detention home. The bill defines "institutional pharmacy".

1 Under the bill, the board is required to solicit input
2 in developing the rules from persons who are blind, have a
3 visual impairment, or other print disability. The rules shall
4 comply with guidelines and recommendations from the United States
5 government accountability office and current industry standards,
6 and shall include a method for providing notice to the public
7 that accessible prescription drug labels, bag tags, and medical
8 guides are available.

9 Under the bill, the board shall submit a report to the
10 governor and the general assembly on or before January 1,
11 2028, that provides a summary on the progress on implementing
12 rules, and recommendations and additional measures to improve
13 accessibility.

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