

LEGISLATIVE BILL 531

Approved by the Governor June 1, 1995

Introduced by Warner, 25

AN ACT relating to insurance; to amend section 44-513.02, Revised Statutes Supplement, 1994; to change provisions relating to copayments for and coverage of long-term maintenance drugs under medical benefit contracts; to repeal the original section; and to declare an emergency.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 44-513.02, Revised Statutes Supplement, 1994, is amended to read:

44-513.02. (1) A medical benefit contract which provides reimbursement for prescription drugs, including contracts by health maintenance organizations and preferred provider organizations, shall not require a person to obtain prescription drugs from a mail-order pharmacy as a condition to obtaining reimbursement for such drugs. This subsection shall apply to contracts delivered, issued for delivery, or renewed in this state on or after July 10, 1990.

(2)(a) A medical benefit contract, including any contract by a preferred provider organization but excluding any contract by a health maintenance organization, which provides reimbursement for prescription drugs and other pharmacy services shall not impose upon any person who is a party to or beneficiary of the contract a fee or copayment not equally imposed upon any party or beneficiary utilizing a mail-order pharmacy, and no such contract shall provide differences in coverage or impose any different conditions upon any person who is a party to or beneficiary of the contract not equally imposed upon any party or beneficiary utilizing a mail-order pharmacy. This subsection shall apply to contracts delivered, issued for delivery, or renewed in this state on or after July 16, 1994.

(b) This subsection shall not apply to reimbursement for long-term maintenance drugs. Long-term maintenance drugs means medications which are dispensed pursuant to a single prescription for a period of no less than one hundred eighty days, exclusive of authorized refills, for the ongoing treatment of a chronic medical condition or disease or congenital condition or disorder.

Sec. 2. Original section 44-513.02, Revised Statutes Supplement, 1994, is repealed.

Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.