

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1458

Short Title: Presc. Drugs/State Health Plan/Funds.

(Public)

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Sponsors: Representatives Nesbitt; Redwine (Primary Sponsors), Barefoot, Ramsey, Smith, Cansler, and Luebke.

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Referred to: Insurance, if favorable, Appropriations.

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April 29, 1999

A BILL TO BE ENTITLED

AN ACT TO ENHANCE OUTPATIENT PRESCRIPTION DRUG BENEFITS UNDER THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, AND TO APPROPRIATE FUNDS THEREFOR.

The General Assembly of North Carolina enacts:

Section 1. G.S. 135-40.6(8)a. is repealed.

Section 2. G.S. 135-40.5 is amended by adding the following new subsection to read:

"(g) Prescription Drugs – The Plan's allowable charges for prescription legend drugs to be used outside of a hospital or skilled nursing facility are ninety percent (90%) of the average wholesale price. A dispensing fee of six dollars (\$6.00) per prescription shall also be an allowable charge for qualified providers. The Plan will pay allowable charges for each outpatient prescription drug less a copayment to be paid by each covered individual equal to the following amounts: pharmacy charges up to five dollars (\$5.00) for each generic prescription, ten dollars (\$10.00) for each branded prescription, and fifteen dollars (\$15.00) for each branded prescription with a generic equivalent drug. Prescriptions shall be for no more than a 60-day supply for the purposes of the copayments paid by each covered individual. By accepting the copayments and allowable charges provided by this subsection, pharmacies shall not balance bill an

1 individual covered by the Plan. A prescription legend drug is defined as an article the  
2 label of which, under the Federal Food, Drug, and Cosmetic Act, is required to bear the  
3 legend: 'Caution: Federal Law Prohibits Dispensing Without Prescription.' Such articles  
4 may not be sold to or purchased by the public without a prescription order. Benefits are  
5 provided for insulin even though prescription is not required."

6           Section 3. There is appropriated from the General Fund to the Reserve for  
7 Employee Hospital and Medical Benefits the sum of seven million dollars (\$7,000,000)  
8 for the 1999-2000 fiscal year and the sum of fifteen million dollars (\$15,000,000) for the  
9 2000-2001 fiscal year for the purposes of this act.

10           Section 4. This act becomes effective January 1, 2000.