

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 2021

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SENATE BILL 847

Short Title: Integrity in Prescription Drug Pricing Act. (Public)

Sponsors: Senators Mohammed, Woodard, and Crawford (Primary Sponsors).

Referred to: Appropriations/Base Budget

May 27, 2022

1 A BILL TO BE ENTITLED
2 AN ACT TO LIMIT AN INSURED'S COPAYMENT FOR INSULIN, TO AUTHORIZE
3 PHARMACISTS TO PROVIDE INFORMATION REGARDING THE AMOUNT AN
4 INDIVIDUAL WOULD PAY FOR A PRESCRIPTION DRUG WITHOUT INSURANCE
5 COVERAGE, AND TO REQUIRE PHARMACISTS TO INFORM INDIVIDUALS
6 REGARDING LOWER COST PRESCRIPTIONS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** Article 3 of Chapter 58 of the General Statutes is amended by adding
9 a new section to read:

10 "**§ 58-3-295. Coverage for insulin.**

11 (a) An insured's copayment under a health benefit plan that provides coverage for insulin
12 shall not exceed thirty dollars (\$30.00) for a month's supply of insulin, or a proportional
13 copayment for a quantity of insulin other than a month's supply, regardless of the amount or the
14 types of insulin needed.

15 (b) The provisions of this section apply to insurers and pharmacy benefits managers, as
16 defined in G.S. 56-56A-1."

17 **SECTION 2.** G.S. 58-56A-3(a) reads as rewritten:

18 "(a) A pharmacy or pharmacist shall have the right to provide provide (i) an insured
19 information regarding the amount of the insured's cost share for a prescription drug. drug and (ii)
20 an individual for whom the pharmacy or pharmacist is filling a prescription drug information
21 regarding the amount an individual would pay for the drug without coverage under a health
22 benefit plan. Neither a pharmacy nor a pharmacist shall be penalized by a pharmacy benefits
23 manager for discussing any information described in this section or for selling a lower-priced
24 drug to the insured if one is available."

25 **SECTION 3.** Article 4A of Chapter 90 of the General Statutes is amended by adding
26 a new section to read:

27 "**§ 90-85.15C. Duty to provide information regarding lower cost alternative prescriptions.**

28 All pharmacists are required to inform, or to designate an individual under the pharmacist's
29 supervision to inform, all individuals for whom the pharmacist is filling a prescription drug or
30 device about the availability of a therapeutically equivalent brand name drug or device that is the
31 lowest cost alternative to the originally prescribed drug or device and the cost difference between
32 the two prescribed drugs or devices."

33 **SECTION 4.** There is appropriated from the General Fund to the Department of
34 Health and Human Services (DHHS) the sum of two hundred fifty thousand dollars (\$250,000)
35 in nonrecurring funds for the 2022-2023 fiscal year to provide funds for staffing and technology



1 necessary to equip DHHS with the ability to collect and report data related to this act to the
2 General Assembly and the Council of State.

3 **SECTION 5.** Sections 1, 2, and 3 of this act become effective October 1, 2022, and
4 apply to contracts issued, renewed, or amended on or after that date. Section 4 of this act becomes
5 effective July 1, 2022. The remainder of this act is effective when it becomes law.