



127th MAINE LEGISLATURE

FIRST REGULAR SESSION-2015

Legislative Document

No. 572

H.P. 396

House of Representatives, February 26, 2015

An Act To Ensure Appropriate Health Insurance Coverage for Prescription Eye Drops

Reference to the Committee on Insurance and Financial Services suggested and ordered printed.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MORRISON of South Portland.
Cosponsored by Senator GRATWICK of Penobscot and
Representatives: BECK of Waterville, COOPER of Yarmouth.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 24-A MRSA §4314-A** is enacted to read:

3 **§4314-A. Coverage for early refills of prescription eye drops**

4 **1. Required coverage.** A carrier offering a health plan in this State shall provide
5 coverage for one early refill of a prescription for eye drops if the following criteria are
6 met:

7 A. For prescription eye drops dispensed as a 30-day supply, the enrollee requests the
8 refill fewer than 30 days after the later of the following dates:

9 (1) The date the original prescription was dispensed to the enrollee; or

10 (2) The date that the most recent refill of the prescription was dispensed to the
11 enrollee;

12 B. For prescription eye drops dispensed as a 90-day supply, the enrollee requests the
13 refill fewer than 90 days after the later of the following dates:

14 (1) The date the original prescription was dispensed to the enrollee; or

15 (2) The date that the most recent refill of the prescription was dispensed to the
16 enrollee;

17 C. The prescribing health care provider indicated on the original prescription that a
18 specific number of refills are authorized;

19 D. The refill requested by the enrollee does not exceed the number of refills
20 indicated on the original prescription;

21 E. The prescription has not been refilled more than once during the 30-day or 90-day
22 period prior to the request for an early refill; and

23 F. The prescription eye drops are a covered benefit under the enrollee's health plan.

24 **2. Cost sharing.** A carrier may not impose a deductible, copayment or coinsurance
25 requirement for coverage required under this section as long as the deductible, copayment
26 or coinsurance does not exceed the deductible, copayment or coinsurance applicable to
27 other prescription drug coverage under the health plan.

28 **Sec. 2. Application.** The requirements of this Act apply to all policies, contracts
29 and certificates executed, delivered, issued for delivery, continued or renewed in this
30 State on or after January 1, 2016. For purposes of this Act, all contracts are deemed to be
31 renewed no later than the next yearly anniversary of the contract date.

32 **SUMMARY**

33 This bill requires all health insurance carriers offering health plans to provide
34 coverage for early refills of prescription eye drop medication in certain circumstances.
35 The bill applies to all policies and contracts issued or renewed on or after January 1,
36 2016.