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HOUSE BILL 2373

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State of Washington

53rd Legislature

1994 Regular Session

By Representatives R. Meyers and Zellinsky

Read first time 01/14/94. Referred to Committee on Financial Institutions & Insurance.

1 AN ACT Relating to prescription medicine insurance coverage; adding  
2 a new section to chapter 48.20 RCW; adding a new section to chapter  
3 48.21 RCW; adding a new section to chapter 48.44 RCW; adding a new  
4 section to chapter 48.46 RCW; adding a new section to chapter 41.05  
5 RCW; and creating a new section.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** The legislature finds that many health care  
8 insurance policies that include prescription coverage severely restrict  
9 the citizens' choice of available pharmacies. The legislature further  
10 finds that such restrictions infringe on the citizens' right to have  
11 their prescriptions filled at the pharmacy and by the pharmacist of  
12 their choice.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.20 RCW  
14 to read as follows:

15 (1) Each disability insurance policy issued or renewed after  
16 November 1, 1994, that provides for payment of all or a portion of  
17 prescription costs, or reimbursement of prescription costs, may not  
18 limit purchase of prescription medicines to a designated pharmacy nor

1 provide for the payment of additional fees or deductibles by the  
2 covered pharmacy patient as a condition of obtaining prescription  
3 benefits from a pharmacy other than a designated pharmacy.

4 (2) The policy may not prohibit a qualified provider of pharmacy  
5 services from becoming a designated provider under the provisions of  
6 the policy if the applicant pharmacy indicates a desire to be  
7 recognized as a designated provider and meets all the applicable terms  
8 and conditions of the policy contract.

9 (3) A pharmacy filling prescriptions under this section agrees to  
10 provide pharmaceutical services under the same terms, including  
11 administrative, financial, and professional conditions, as those  
12 provided by the designated pharmacy.

13 NEW SECTION. **Sec. 3.** A new section is added to chapter 48.21 RCW  
14 to read as follows:

15 (1) Each group disability insurance policy issued or renewed after  
16 November 1, 1994, that provides for payment of all or a portion of  
17 prescription costs, or reimbursement of prescription costs, may not  
18 limit purchase of prescription medicines to a designated pharmacy nor  
19 provide for the payment of additional fees or deductibles by the  
20 covered pharmacy patient as a condition of obtaining prescription  
21 benefits from a pharmacy other than a designated pharmacy.

22 (2) The policy may not prohibit a qualified provider of pharmacy  
23 services from becoming a designated provider under the provisions of  
24 the policy if the applicant pharmacy indicates a desire to be  
25 recognized as a designated provider and meets all the applicable terms  
26 and conditions of the policy contract.

27 (3) A pharmacy filling prescriptions under this section agrees to  
28 provide pharmaceutical services under the same terms, including  
29 administrative, financial, and professional conditions, as those  
30 provided by the designated pharmacy.

31 NEW SECTION. **Sec. 4.** A new section is added to chapter 48.44 RCW  
32 to read as follows:

33 (1) Each health care service contract issued or renewed after  
34 November 1, 1994, that provides for payment of all or a portion of  
35 prescription costs, or reimbursement of prescription costs, may not  
36 limit purchase of prescription medicines to a designated pharmacy nor  
37 provide for the payment of additional fees or deductibles by the

1 covered pharmacy patient as a condition of obtaining prescription  
2 benefits from a pharmacy other than a designated pharmacy.

3 (2) The policy may not prohibit a qualified provider of pharmacy  
4 services from becoming a designated provider under the provisions of  
5 the policy if the applicant pharmacy indicates a desire to be  
6 recognized as a designated provider and meets all the applicable terms  
7 and conditions of the policy contract.

8 (3) A pharmacy filling prescriptions under this section agrees to  
9 provide pharmaceutical services under the same terms, including  
10 administrative, financial, and professional conditions, as those  
11 provided by the designated pharmacy.

12 NEW SECTION. **Sec. 5.** A new section is added to chapter 48.46 RCW  
13 to read as follows:

14 (1) Each health maintenance agreement issued or renewed after  
15 November 1, 1994, that provides for payment of all or a portion of  
16 prescription costs, or reimbursement of prescription costs, may not  
17 limit purchase of prescription medicines to a designated pharmacy nor  
18 provide for the payment of additional fees or deductibles by the  
19 covered pharmacy patient as a condition of obtaining prescription  
20 benefits from a pharmacy other than a designated pharmacy.

21 (2) The policy may not prohibit a qualified provider of pharmacy  
22 services from becoming a designated provider under the provisions of  
23 the policy if the applicant pharmacy indicates a desire to be  
24 recognized as a designated provider and meets all the applicable terms  
25 and conditions of the policy contract.

26 (3) A pharmacy filling prescriptions under this section agrees to  
27 provide pharmaceutical services under the same terms, including  
28 administrative, financial, and professional conditions, as those  
29 provided by the designated pharmacy.

30 (4) This section does not apply to health maintenance organizations  
31 in which all pharmaceutical services are provided by employees of the  
32 health maintenance organization.

33 NEW SECTION. **Sec. 6.** A new section is added to chapter 41.05 RCW  
34 to read as follows:

35 (1) Each health plan offered to public employees and their covered  
36 dependents under this chapter that is not subject to the provisions of  
37 Title 48 RCW and is established or renewed after November 1, 1994, that

1 provides for payment of all or a portion of prescription costs, or  
2 reimbursement of prescription costs, may not limit purchase of  
3 prescription medicines to a designated pharmacy nor provide for the  
4 payment of additional fees or deductibles by the covered pharmacy  
5 patient as a condition of obtaining prescription benefits from a  
6 pharmacy other than a designated pharmacy.

7 (2) The policy may not prohibit a qualified provider of pharmacy  
8 services from becoming a designated provider under the provisions of  
9 the policy if the applicant pharmacy indicates a desire to be  
10 recognized as a designated provider and meets all the applicable terms  
11 and conditions of the policy contract.

12 (3) A pharmacy filling prescriptions under this section agrees to  
13 provide pharmaceutical services under the same terms, including  
14 administrative, financial, and professional conditions, as those  
15 provided by the designated pharmacy.

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