
HOUSE BILL 2296

State of Washington

65th Legislature

2018 Regular Session

By Representatives Slatter, Schmick, Cody, Robinson, Dolan, Orwall, Tharinger, Macri, Young, Kloba, Appleton, Jinkins, Ormsby, Pollet, and Doglio

Prefiled 12/15/17. Read first time 01/08/18. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to protecting consumers from excess charges for
2 prescription medications; adding a new section to chapter 19.340 RCW;
3 and creating a new section.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 19.340
6 RCW to read as follows:

7 (1) A contract entered into or renewed on or after the effective
8 date of this section between a pharmacy benefit manager or insurer
9 and a pharmacist or pharmacy may not penalize, including through
10 increased utilization review, reduced payments, or other financial
11 disincentives, a pharmacist's or pharmacy's disclosure to a person
12 purchasing prescription medication of information regarding:

13 (a) The cost of the prescription medication to the person; or

14 (b) The availability of any therapeutically equivalent
15 alternative medications or alternative methods of purchasing the
16 prescription medication, including, but not limited to, paying the
17 cash price, that are less expensive than the cost of the prescription
18 medication to the person.

19 (2) On or after January 1, 2019, the maximum amount a pharmacy
20 benefit manager or insurer may require a person to pay at the point
21 of sale for a covered prescription medication is the lesser of:

- 1 (a) The applicable cost sharing for the prescription medication;
- 2 (b) The amount the pharmacy benefit manager or insurer reimburses
- 3 the pharmacy or pharmacist for the prescription medication; or
- 4 (c) The amount the person would pay for the prescription
- 5 medication if the person purchased the prescription medication
- 6 without using a health plan or any other source of prescription
- 7 medication benefits or discounts.

8 NEW SECTION. **Sec. 2.** If any provision of this act or its
9 application to any person or circumstance is held invalid, the
10 remainder of the act or the application of the provision to other
11 persons or circumstances is not affected.

12 NEW SECTION. **Sec. 3.** This act may be known and cited as the
13 affordable medication for patients act.

--- END ---