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SENATE BILL 5744

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State of Washington

65th Legislature

2017 Regular Session

By Senators Kuderer and Keiser

Read first time 02/07/17. Referred to Committee on Health Care.

1 AN ACT Relating to prescription coverage and the use of mail  
2 order service; and adding a new section to chapter 48.43 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.43  
5 RCW to read as follows:

6 (1) Health carriers, for health plans issued or renewed on or  
7 after January 1, 2018 that include prescription drug coverage, must  
8 ensure enrollees are protected from unintentional use of or  
9 enrollment in mail order prescription drug services.

10 (2) The health carrier must include in any contract with a  
11 pharmacy benefit manager, as defined in RCW 19.340.010, a requirement  
12 that the pharmacy benefit manager or its agents obtain affirmative  
13 authorization, in writing or through electronic communication, from a  
14 health plan enrollee prior to filling an enrollee's prescription  
15 through a mail order prescription drug service. Each individual  
16 prescription must be authorized by the enrollee prior to using a mail  
17 order service to fill a prescription.

18 (3) Each mail order prescription drug shipment must include a  
19 notice to the enrollee clearly describing the actions that the  
20 enrollee can take to terminate use of the mail order service.

1           (4) The health plan must include information in the enrollee  
2 health plan booklet explaining the requirement to obtain the  
3 enrollee's affirmative authorization prior to filling a prescription  
4 through a mail order prescription drug service.

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