Bill as Introduced

HB 546 – AS INTRODUCED

2003 SESSION

03-0959
01/09

HOUSE BILL ***546***

AN ACT relative to uniform prescription drug information cards.

SPONSORS: Rep. Kathleen Taylor, Straf 70

COMMITTEE: Commerce

ANALYSIS

This bill requires that insurers providing coverage for prescription drugs issue to their enrollees a card or other similar item containing uniform prescription drug information.

Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

HB 546 – AS INTRODUCED

03-0959
01/09

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Three

AN ACT relative to uniform prescription drug information cards.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Statement of Intent. It is the intent of the general court to improve care to patients by minimizing confusion, eliminating unnecessary paperwork, decreasing administrative burdens, and streamlining dispensing of prescription products paid for by third party payors.

2 New Section; Accident and Health Insurance; Individual; Prescription Drug Cards. Amend RSA 415 by inserting after section 6-i the following new section:

415:6-j Individual Policy Prescription Drug Information Cards.

I. Each insurer that issues or renews any individual policy of accident or health insurance which provides coverage for prescription drugs or devices or which contracts with an entity providing such prescription drug coverage, including but not limited to pharmacy benefit manager companies, shall issue to certificate holders a card or other technology containing uniform prescription drug information. The uniform prescription drug information card or technology shall include all of the fields required by the health insurance provider for claims processing in a clear, readable, and understandable manner on the card or other technology issued and shall include, at a minimum, the following information:

(a) The name or trademark logo of the insurer and, if another company administers the prescription benefit, the name or trademark logo of the benefit administrator.

(b) The certificate holder's name and identification number.

(c) All of the electronic transaction routing information required by the insurer or its benefit administrator in order for the pharmacy to electronically process a prescription claim, including but not limited to the BIN number labeled as such or the Processor Control Number labeled as such, or both.

II. All subscriber health insurance cards issued after January 1, 2004 shall contain the information required under paragraph I.

III. A new uniform prescription drug information card, as required under this section, shall be issued by an insurer upon enrollment of new members and when reissuing a new card to current members when there is a change in the certificate holder's coverage that affects data contained on the card.

3 New Section; Accident and Health Insurance; Group; Prescription Drug Cards. Amend RSA 415 by inserting after section 18-m the following new section:

415:18-n Group or Blanket Plan Prescription Drug Information Cards.

I. Each insurer that issues or renews any policy of group or blanket accident or health insurance which provides coverage for prescription drugs or devices, or which contracts with an entity providing such prescription drug coverage, including but not limited to pharmacy benefit manager companies, shall issue to certificate holders a card or other technology containing uniform prescription drug information. The uniform prescription drug information card or technology shall include all of the fields required by the health insurance provider for claims processing in a clear, readable, and understandable manner on the card or other technology issued and shall include, at a minimum, the following information:

(a) The name or trademark logo of the insurer and, if another company administers the prescription benefit, the name or trademark logo of the benefit administrator;

(b) The certificate holder's name and identification number;

(c) All of the electronic transaction routing information required by the insurer or its benefit administrator in order for the pharmacy to electronically process a prescription claim, including but not limited to the BIN number labeled as such or the Processor Control Number labeled as such, or both.

II. All subscriber health insurance cards issued after January 1, 2004 shall contain the information required under paragraph I.

III. A new uniform prescription drug information card, as required under this section, shall be issued by an insurer upon enrollment of new members and when reissuing a new card to current members when there is a change in the certificate holder's coverage that affects data contained on the card.

4 Health Service Corporations; Prescription Drug Cards. Amend RSA 420-A:2 to read as follows:

420-A:2 Applicable Statutes. Every health service corporation shall be governed by this chapter and the relevant provisions of RSA 161-H, and shall be exempt from this title except for the provisions of RSA 400-A:39, RSA 401-B, RSA 402-C, RSA 404-F, RSA 415-A, RSA 415-F, RSA 415:6, II(4), RSA 415:6-g, ***RSA 415:6-j***, RSA 415:18, V, RSA 415:18, VII(g), RSA 415:18, VII-a, RSA 415:18-a, RSA 415:18-j, ***RSA 415:18-n***, RSA 415:22, RSA 417, RSA 417-E, RSA 420-J, and all applicable provisions of title XXXVII wherein such corporations are specifically included. Every health service corporation and its agents shall be subject to the fees prescribed for health service corporations under RSA 400-A:29, VII.

5 New Paragraphs; Managed Care; Prescription Drug Cards. Amend RSA 420-J:7-b by inserting after paragraph IV the following new paragraphs:

V. Every health benefit plan that provides coverage for prescription drugs or devices, or administers such a plan, or which contracts with an entity providing such prescription drug coverage, including but not limited to pharmacy benefit manager companies, shall issue to covered persons a card or other technology containing uniform prescription drug information. The uniform

prescription drug information card or technology shall include all of the fields required by the health insurance provider for claims processing in a clear, readable, and understandable manner on the card or other technology issued and shall include, at a minimum, the following information:

(a) The name or trademark logo of the insurer and, if another company administers the prescription benefit, the name or trademark logo of the benefit administrator.

(b) The covered person's name and identification number.

(c) All of the electronic transaction routing information required by the insurer or its benefit administrator in order for the pharmacy to electronically process a prescription claim, including but not limited to the BIN number labeled as such or the Processor Control Number labeled as such, or both.

VI. All subscriber health insurance cards issued after January 1, 2004 shall contain the information required under paragraph V.

VII. A new uniform prescription drug information card, as required under paragraph V, shall be issued by health benefit plan upon enrollment of new members and when reissuing a new card to current members when there is a change in the covered person's Pharmacy coverage that affects data contained on the card.

6 Effective Date. This act shall take effect 60 days after its passage.

Amendments

Rep. Fraser, Merr. 37
March 14, 2003
2003-0735h
01/09

Amendment to HB 546

Amend RSA 415:6-j, III as inserted by section 2 of the bill by replacing it with the following:

III. A new uniform prescription drug information card, as required under this section, shall be issued by an insurer upon enrollment of new members and when reissuing a new card to current members when there is a change in the certificate holder's pharmacy coverage that affects data contained on the card.

Amend RSA 415:18-n, III as inserted by section 3 of the bill by replacing it with the following:

III. A new uniform prescription drug information card, as required under this section, shall be issued by an insurer upon enrollment of new members and when reissuing a new card to current members when there is a change in the certificate holder's pharmacy coverage that affects data contained on the card.

Amend RSA 420-J:7-b, VII as inserted by section 4 of the bill by replacing it with the following:

VII. A new uniform prescription drug information card, as required under paragraph V, shall be issued by health benefit plan upon enrollment of new members and when reissuing a new card to current members when there is a change in the covered person's pharmacy coverage that affects data contained on the card.

Hearing Minutes

HOUSE COMMITTEE ON COMMERCE

PUBLIC HEARING ON HB 546

BILL TITLE: relative to uniform prescription drug information cards.

DATE: February 12, 2003`

LOB ROOM: 302 **Time Public Hearing Called to Order:** 2:35 pm

Time Adjourned: 3 pm

(please circle if present)

Committee Members: Reps. Hunt, L. Fraser, Francoeur, Belanger, Langley, DiFruscia, D. Flanders, Spiess, Holden, Liebl, Quandt, Charles Clark, Brady, Scamman, Stepanek, Reardon, Kathleen Taylor, Meader, DeStefano, Vachon and Kopka.

Bill Sponsors: Rep. K. Taylor

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

***Rep. Kathleen Taylor, sponsor** – See written testimony. Suggested the need for a simple amendment.

David Minnis, NH Pharmacists Association – This bill has been before you on several occasions. We believe we have reached an agreement on the language of the bill. This bill should not impact ANTHEM or Harvard/Pilgrim. We want all insurers to provide the required information. We are looking for a card with universal claims information.

Q: Rep. George Liebl – Isn't the industry voluntarily moving in this direction?

A: Yes, but not all are complying.

Stuart Trachy NH Association of Chain Drug Stores – Supports the bill. Noncompliance is expensive and can lead to prescription errors.

Q: Rep. Leo Fraser – What percent of the market do you represent?

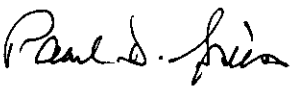
A: About 80% of the retail locations.

Q: Is this really a large enough problem to justify legislation?

A: Yes, and that is why you keep seeing the bill every year, and why so many states have passed the law.

Bonnie Packard, Harvard Pilgrim – Opposes the bill

Respectfully Submitted:



Paul D. Spiess, Clerk

Sub-Committee Actions

HOUSE COMMITTEE ON COMMERCE

SUBCOMMITTEE WORK SESSION ON HB 546

BILL TITLE: relative to uniform prescription drug information cards.

DATE: March 14, 2003

Subcommittee Members: Reps. Fraser, Meader and Spiess

Comments and Recommendations:

Amendments:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Meader

Seconded by Rep. Spiess

Vote: 3-0

Respectfully submitted,

Rep. Leo W. Fraser, Jr.
Subcommittee Chairman/Clerk

Testimony

For the record, I am Rep. Kathleen Taylor, Strafford District #70 representing Dover Wards 1 and 2.

In the United States today, upwards of 85% of prescriptions are paid for by one of many insurance programs... each with its own unique drug benefits card. Dealing with the administrative burdens created by inconsistent and confusing prescription drug cards is a primary impediment to productivity of pharmacists. The problem will only become more acute over the next five years with an expected 47% increase in prescriptions and a mere 6% projected increase in pharmacists.

A coalition of pharmacy organizations has drafted model legislation requiring the use of the card while allowing the card to evolve as advances in technology and feasibility occur. The legislation simply asks insurers to provide pharmacists with the information that the insurer requires to process a claim.

Twenty-four states have passed legislation mandating a standard prescription benefit card since 1999 (VA passed legislation twice... first in 2000, then again in 2001.)

In 1999:	NC, TX
In 2000:	AL, GA, IL, TN, VA
In 2001:	AR, CA, IA, IN, MD, MN, ND, NJ, NV, OR, SD, VA, WA
In 2002:	CO, FL, MI (waiting Gov's signature, 12/02), MS, OK

We have had testimony in the past that every break in concentration while filling a prescription is an opportunity for error. Giving the pharmacists the information, which they require to complete the transaction, will decrease this problem by allowing them to fill the prescription without phone calls for the needed information.

I have one change to make to the bill. It is to insert the word "pharmacy" after the word "holder's" in lines 26 of page one, line 20 on page two and line 15 on page three. This is at the suggestion of Yvonne Nanasi who couldn't be here today.

I will be glad to answer any questions and work with the sub-committee.
Thank you.

Voting Sheets

HOUSE COMMITTEE ON COMMERCE

EXECUTIVE SESSION on HB 546

BILL TITLE: **relative to uniform prescription drug information cards.**

DATE: March 18, 2003

LOB ROOM: 302

Amendments:

Sponsor: Rep. Fraser — OLS Document #: 2003 0735h

Sponsor: Rep. — OLS Document #:

Sponsor: Rep. — OLS Document #:

Motions: (OTP), OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Fraser

Seconded by Rep. Spiess

Amendment

Vote: 12-1 (Please attach record of roll call vote.)

Motions: OTP, (OTP/A), ITL, Interim Study (Please circle one.)

Moved by Rep. Fraser

Seconded by Rep. Spiess

Vote: ~~12-1~~ 13-1 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: 14-0

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep. Paul D. Spiess, Clerk

OFFICE OF THE HOUSE CLERK

2003 SESSION

COMMERCE

Bill #: 556 **Title:**

PH Date: / / **Exec Session Date:** 3 / 18 / 03

Motion: Adopt Amendment **Amendment #:** 0735h

MEMBER	YEAS	NAYS
Hunt. John B. Chairman		
Fraser. Leo W. V Chairman	✓	
Francoeur. Sheila T	✓	
Belanger. Ronald J		
Langley. Jane S	✓	
DiFruscia. Anthony R		✓
Flanders. Donald H	✓	
Spiess. Paul D	✓	
Holden. Randolph N		
Liebl. George J	✓	
Quandt. Matthew J	✓	
Clark. Charles L	✓	
Brady. Mark A	✓	
Scamman. Stella		
Stepanek. Stephen B	✓	
Reardon. Tara G		
Taylor. Kathleen N	✓	
Meader. David R		
DeStefano. Stephen T		
Vachon. Dennis P		
Kopka. Angeline A	✓	
	12	1
TOTAL VOTE:		

Printed: 1/6/2003

OFFICE OF THE HOUSE CLERK 2003 SESSION

COMMERCE

Bill #: 546 **Title:**

PH Date: / / **Exec Session Date:** 2 / 12 / 03

Motion: OTPA **Amendment #:**

MEMBER	YEAS	NAYS
Hunt. John B. Chairman		
Fraser. Leo W. V Chairman	✓	
Francoeur. Sheila T	✓	
Belanger. Ronald J		
Langley. Jane S	✓	
DiFruscia. Anthony R		✓
Flanders. Donald H	✓	
Spiess. Paul D	✓	
Holden. Randolph N		
Liebl. George J	✓	
Quandt. Matthew J	✓	
Clark. Charles L	✓	
Brady. Mark A	✓	
Scamman. Stella		
Stepanek. Stephen B	✓	
Reardon. Tara G	✓	
Taylor. Kathleen N	✓	
Meader. David R		
DeStefano. Stephen T		
Vachon. Dennis P		
Kopka. Angeline A	✓	
	13	1

TOTAL VOTE:
Printed: 1/6/2003

Committee Report

COMMITTEE REPORT

COMMITTEE: **Commerce**

BILL NUMBER: **HB 546**

TITLE: relative to uniform prescription drug information cards.

DATE: March 18, 2003 CONSENT CALENDAR YES ☒ NO ☐

☐ OUGHT TO PASS

☒ OUGHT TO PASS WITH AMENDMENT

☐ INEXPEDIENT TO LEGISLATE

☐ REFER TO COMMITTEE FOR INTERIM STUDY
(Available only in second year of biennium.)

STATEMENT OF INTENT
(Include Committee Vote)

This legislation, as amended, will require all issuers of prescription drug cards to have on the card uniform drug information. This information shall include whatever information necessary for the health insurance provider to process claims in a clean, readable and understandable manner. The card shall include the trademark or logo of the insurer, certificate holder's name and ID number, and the BIN number. During the public hearing the three major insurers in New Hampshire are already providing this information or are in the process of making necessary changes.

Vote 13-1.

Rep. Leo W. Fraser, Jr.
FOR THE COMMITTEE

Original: House Clerk
cc: Committee Bill file

USE ANOTHER REPORT FOR MINORITY REPORT

CONSENT CALENDAR

Commerce

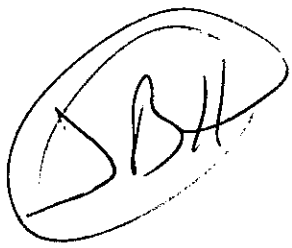
HB 546, relative to uniform prescription drug information cards. **OUGHT TO PASS WITH AMENDMENT**

Rep. Leo W. Fraser, Jr. for Commerce: This legislation, as amended, will require all issuers of prescription drug cards to have on the card uniform drug information. This information shall include whatever information necessary for the health insurance provider to process claims in a clean, readable and understandable manner. The card shall include the trademark or logo of the insurer, certificate holder's name and ID number, and the BIN number. During the public hearing the three major insurers in New Hampshire are already providing this information or are in the process of making necessary changes. **Vote 13-1.**

HB 546

Rep. Leo W. Fraser, Jr.

This legislation, as amended, will require all issuers of prescription drug cards to have on the card ~~at least~~ uniform drug information. This information shall include whatever information necessary for the health insurance provider to process claims in a clean, readable and understandable manner. The card shall include the trademark or logo of the insurer, certificate holder's name and ID number, and the BIN number. During the public hearing the three major insurers in New Hampshire are already providing this information as are in the process of making necessary changes.



HB 546

This legislation, as amended, will require all issuers of prescription drug cards to have at ~~least~~ least on the card uniform drug information. This information shall include whatever information necessary for the health insurance provider to process claims in a clean, readable ~~and~~ and understandable manner. The card shall include

(1) Trademark or Logo of the insurer

(2) Certificate holder's name and

ID #

(3) The BIN number

During the public This ~~Fee~~

these ~~may~~ Michigan insurers in

New Hampshire are already

providing this information or

are in the process of

making necessary changes.