

# Senate Health and Human Services Committee

*Sophie Walsh 271-3469*

**SB 647**, authorizing the department of insurance to participate in a cooperative procurement group via an intergovernmental agreement for a prescription drug discount program.

**Hearing Date:** March 11, 2026

**Time Opened:** 9:57 a.m.

**Time Closed:** 10:27 a.m.

**Members of the Committee Present:** Senators Rochefort, Avard, Birdsell, Prentiss and Long

**Members of the Committee Absent:** None

**Bill Analysis:** This bill authorizes the department of insurance to participate in a cooperative procurement group via an intergovernmental agreement for a prescription drug discount program.

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**Sponsors:**

Sen. Rochefort

Sen. Rosenwald

Sen. Birdsell

Sen. Avard

Sen. Prentiss

Sen. Reardon

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**Who supports the bill:** 86 people signed in support of the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (sophie.walsh@gc.nh.gov).

**Who opposes the bill:** 1 person signed in opposition to the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (sophie.walsh@gc.nh.gov).

**Who is neutral on the bill:** 1 person signed in neutral on the bill. Full sign in sheets are available upon request by contacting the Legislative Aide, Sophie Walsh (sophie.walsh@gc.nh.gov).

**Summary of testimony presented:**

Senator David Rochefort, Senate District 1

- Senator Rochefort introduced Senate Bill 647 and explained that this bill focuses on prescription drug pricing.
- Many prescription drug discount cards capture consumers' personal information and transmits it to third parties to later be sold.

- However, there are new prescription discount cards that often offer bigger discounts while not selling consumers' personal data.
- These new programs are state sponsored, which raises the question of which department will be responsible. Senator Rochefort contacted both the Department of Health and Human Services and the Department of Administrative Services, both of whom expressed that they were not the most appropriate fit. As a result, this currently lies with the Insurance Department.
- Regardless of which department is the best place for this program, Senator Rochefort thinks it is important to adopt these discount plans because they are pro-consumer, pro-state, and protect individuals' privacy.

Michelle Heaton, New Hampshire Insurance Department

- Ms. Heaton explained that the Insurance Department has concerns with the bill as drafted because it is essentially saying the Department can't enter into a cooperative procurement group via an intergovernmental agreement.
- Ms. Heaton described the broadness of the language as confusing in regard to what the Department is specifically being directed to do and noted that the Department may have misinterpreted the bill.
- The Department does regulate discount medical plans. While some of these prescription drug programs do not fall within the statutory definition of a discount medical plan, there are opportunities to regulate certain types of discount programs like the one this bill focuses on.
- Ms. Heaton explained that the Department is happy to work with the Committee on this and noted that the upcoming deadline may be too quick.
- Senator Rochefort said he will instruct New Futures to reach out to the Department and work on a committee amendment or potential floor amendment.

Samuel Burgess, New Futures & Stephanie Krieg, ArrayRx

- Mr. Burgess stated that New Futures is in strong support of the bill.
- Ms. Krieg stated that ArrayRx is a multi-state collaborative that works on pharmacy solutions to help improve medication access and affordability. One of the tools they utilize to achieve this goal is prescription drug discount card programs.
- Anyone who lives or works in a participating state is eligible for the ArrayRx discount program. Consumers can look up prices ahead of time and compare costs to find the best available price.
- This program brings savings both in front and behind the counter, as anything with a national drug code is eligible for some sort of discount.
- The ArrayRx program operates entirely outside of the insurance system in Connecticut where Ms. Krieg works. When an individual uses a discount card,

they are able to pay the ArrayRx price at the counter without running the transaction through insurance. This structure is important, as it does not interfere with insurance plans or premiums.

- Consumers pay a small administrative fee built directly into the transaction price that supports the operation of the program.
- Senator Birdsell asked how this program has been marketed in other states, emphasizing that she wants to ensure the word gets out to those who need it most.
- Ms. Krieg explained that in Connecticut, a large group of stakeholders was brought together to get the word out. There was also direct communication, education, and training with municipal officials and departments, so that they could directly connect with their constituents.
- Over 26,000 people have registered in the program. Members are seeing an average savings of over \$200 on medications and a collective savings of over \$2 million since the program's inception.
- Senator Avard asked for clarification on how pharmacies see discounts in real time.
- Ms. Krieg explained that pharmacies are seeing real time costs, including consumer costs and what the pharmacy will be reimbursed for. With many for-profit discount cards, there is a fee for pharmacies to see what the discounted medication will be. There are also sometimes retroactive fees or claw backs that cost pharmacies more money than it would be worth to dispense the medication at the discounted price. ArrayRx differs from these programs because there are no fees associated with pharmacies being able to see these costs.
- Senator Avard asked how this program is funded, and Ms. Krieg explained that it is funded by a small administrative fee paid by the consumer at the point of sale. The discount card is not for-profit, so the fee simply maintains the program.
- Senator Avard asked how the Insurance Department would get involved with this.
- Ms. Krieg explained that the Insurance Department is not involved with this program in Connecticut, as the program is housed in the Office of the State Comptroller.
- Senator Long asked if this program has been changed from its inception, or if it is essentially the same program.
- Ms. Krieg confirmed that it is operationally the same program as it was on day one.
- Senator Rochefort said he sees the value in this program and emphasized that the struggle is finding a department to house it in. He acknowledged the short timeline and said he would like to see if something would be possible to address this session.

- Mr. Burgess emphasized that this discount program will bring in a new source of revenue to the state with no associated cost while providing privacy protections to constituents.
- He explained that non-profits in this space could do outreach and promotion to get the word out on this program.
- All of the states that have implemented this program have seen savings of up to 80% on prescriptions. An analysis from the Department of Health and Human Services found that almost every pharmacy in the state is already a member of this program, which would allow for statewide pharmacy access to this program.

Anne LaForce & Mary Roberge, AARP New Hampshire

- Ms. LaForce stated that she is speaking in support of the bill.
- Affordable prescription drugs are critical to keep people healthy and independent. Many New Hampshire citizens struggle to afford their medications, which may cause them to stretch or skip doses and lead to dangerous consequences.
- No one should have to choose between affording their medications and paying for basic necessities.
- This bill could provide significant savings to granite staters and protect consumers.
- Ms. Roberge shared a personal story about being a caretaker for her mother, noting that one of her mother's medications cost about half of her monthly social security benefits. This left very little room for her to pay for other necessities like rent and groceries.
- Ms. Roberge emphasized that this is a cost saving measure.