

By: Bonnen of Galveston

H.B. No. 2360

A BILL TO BE ENTITLED

1 AN ACT
2 relating to amounts charged to an enrollee in a health benefit plan
3 for prescription drugs covered by the plan.

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

5 SECTION 1. Section 1369.001, Insurance Code, is amended by
6 adding Subdivision (2-a) to read as follows:

7 (2-a) "Enrollee" means an individual who is covered
8 under a health benefit plan, including a covered dependent.

9 SECTION 2. Subchapter A, Chapter 1369, Insurance Code, is
10 amended by adding Section 1369.0041 to read as follows:

11 Sec. 1369.0041. LIMIT ON PAYMENT REQUIRED UNDER PLAN. A
12 health benefit plan that covers prescription drugs may not include
13 a provision that requires an enrollee to make a payment for a
14 prescription drug at the point of sale in an amount greater than an
15 amount that the pharmacist or pharmacy providing the prescription
16 drug may retain from:

17 (1) the health benefit plan issuer; or
18 (2) the health benefit plan issuer's pharmacy benefit
19 manager.

20 SECTION 3. Section 1369.0041, Insurance Code, as added by
21 this Act, applies only to a health benefit plan that is delivered,
22 issued for delivery, or renewed on or after January 1, 2018. A plan
23 delivered, issued for delivery, or renewed before January 1, 2018,
24 is governed by the law as it existed immediately before the

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1 effective date of this Act, and that law is continued in effect for
2 that purpose.

3 SECTION 4. This Act takes effect September 1, 2017.