

AN ACT relating to pharmacy benefits.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF SUBTITLE 17A OF KRS CHAPTER 304 IS CREATED TO READ AS FOLLOWS:

*(1) An insurer who issues or renews a health benefit plan on or after the effective date of this Act which provides prescription drug coverage administered by the insurer or by a pharmacy benefit manager shall not require an insured to use a mail-order pharmacy instead of a retail pharmacy to fill any prescriptions.*

*(2) Nothing in subsection (1) of this section prohibits an insurer from charging an insured different cost-sharing amounts for filling prescriptions at a retail pharmacy. However, all cost sharing shall count towards the health benefit plan's annual limitation for any deductible, coinsurance, or any other cost-sharing requirements under the health benefit plan contract.*

➔SECTION 2. A NEW SECTION OF KRS CHAPTER 18A IS CREATED TO READ AS FOLLOWS:

*(1) Any fully insured health benefit plan or self-insured plan offered by the Personnel Cabinet renewed on or after the effective date of this Act which provides prescription drug coverage shall not require an employee or an employee's covered dependent to use a mail-order pharmacy instead of a retail pharmacy to fill any prescriptions.*

*(2) Nothing in subsection (1) of this section prohibits any fully insured health benefit plan or self-insured plan offered by the Personnel Cabinet from charging an employee or an employee's covered dependent different cost-sharing amounts for filling prescriptions at a retail pharmacy. However, all cost sharing shall count towards the self-insured plan's annual limitation for any deductible, coinsurance, or any other cost-sharing requirements.*