



General Assembly

Amendment

January Session, 2017

LCO No. 6440



Offered by:

SEN. LOONEY, 11th Dist.

SEN. FASANO, 34th Dist.

To: Subst. Senate Bill No. 445

File No. 519

Cal. No. 295

**"AN ACT CONCERNING FAIRNESS IN PHARMACY AND
PHARMACY BENEFITS MANAGER CONTRACTS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2017*) (a) On and after January
4 1, 2018, no contract for pharmacy services entered into in the state
5 between a health carrier, as defined in section 38a-591a of the general
6 statutes, pharmacy benefits manager, as defined in section 38a-479aaa
7 of the general statutes, or any other entity and a pharmacist shall
8 contain a provision prohibiting or penalizing a pharmacist's disclosure
9 to an individual purchasing prescription medication of information
10 regarding (1) the cost of the prescription medication to the individual,
11 or (2) the availability of any therapeutically equivalent alternative
12 medications or alternative methods of purchasing the prescription
13 medication, including, but not limited to, paying a cash price, that are
14 less expensive than the cost of the prescription medication to the
15 individual.

16 (b) On and after January 1, 2018, no individual in the state shall be
17 required to make a payment for a prescription medication in an
18 amount greater than the amount the pharmacist or pharmacy may
19 retain for such prescription medication from all payment sources,
20 including, but not limited to, any dispensing fee.

21 (c) Any provision of a contract that violates the provisions of
22 subsection (a) of this section shall be unenforceable and constitute an
23 unfair trade practice pursuant to chapter 735a of the general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2017</i>	New section