



General Assembly

January Session, 2023

Raised Bill No. 6830

LCO No. 3985



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
(INS)

AN ACT ESTABLISHING A PRESCRIPTION DRUG AFFORDABILITY BOARD.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2023*) (a) As used in this section:

2 (1) "Biologic" means any drug licensed under 42 USC 262, as
3 amended from time to time;

4 (2) "Biosimilar" means any drug that is similar to a biologic and is
5 produced or distributed in accordance with a biologics license
6 application approved under 42 USC 262, as amended from time to time;

7 (3) "Board" means the Prescription Drug Affordability Board
8 established pursuant to this section;

9 (4) "Chain pharmacy" means any community pharmacy that is
10 publicly traded or has not less than six stores located in this state;

11 (5) "Community pharmacy" means any pharmacy licensed under
12 section 20-594 of the general statutes that stores and dispenses legend
13 drugs, as defined in section 20-571 of the general statutes, and legend

14 devices, as defined in said section, and from which related
15 pharmaceutical care services are provided primarily to
16 noninstitutionalized patients living in a community setting;

17 (6) "Generic drug" means (A) any drug that is marketed or distributed
18 in accordance with an abbreviated new drug application approved
19 under 21 USC 355, as amended from time to time, (B) any generic drug
20 as defined in 42 CFR 447.502, as amended from time to time, or (C) any
21 drug that entered the market before calendar year 1962 that was not
22 originally marketed under a new prescription drug product application;

23 (7) "Independent pharmacy" means any privately owned pharmacy
24 that has five or fewer stores located in this state;

25 (8) "Office of Health Strategy" means the Office of Health Strategy
26 established under section 19a-754a of the general statutes;

27 (9) "Pharmacist" has the same meaning as defined in section 20-571 of
28 the general statutes; and

29 (10) "Prescription drug product" means a brand-name drug, a generic
30 drug, a biologic or biosimilar.

31 (b) There is established a Prescription Drug Affordability Board,
32 which shall be part of the Office of Policy and Management for
33 administrative purposes only.

34 (c) The board shall consist of the following members:

35 (1) One appointed by the speaker of the House of Representatives,
36 who shall be a representative of the American Association of Retired
37 Persons;

38 (2) One appointed by the president pro tempore of the Senate, who
39 shall be a representative of a state-wide health care advocacy coalition;

40 (3) One appointed by the majority leader of the House of
41 Representatives, who shall be a pharmacist licensed under chapter 400j

42 of the general statutes and employed by any independent pharmacy;

43 (4) One appointed by the majority leader of the Senate, who shall be
44 a pharmacist licensed under chapter 400j of the general statutes and
45 employed by any chain pharmacy;

46 (5) One appointed by the minority leader of the House of
47 Representatives, who shall be a person sixty-five years of age or older;

48 (6) One appointed by the minority leader of the Senate, who shall be
49 a person sixty-five years of age or older;

50 (7) One appointed by the Governor, with the advice and consent of
51 both houses of the General Assembly, who shall be a representative of
52 any state-wide health care advocacy coalition; and

53 (8) The executive director of the Office of Health Strategy, or the
54 executive director's designee.

55 (d) No member of the board appointed pursuant to subsection (c) of
56 this section may be a member of the General Assembly.

57 (e) All initial appointments to the board shall be made not later than
58 January 1, 2024. Board members shall serve for a term of four years. No
59 board member shall be appointed to more than two terms. Any vacancy
60 shall be filled by the appointing authority. Any vacancy occurring other
61 than by expiration of term shall be filled for the balance of the unexpired
62 term.

63 (f) The Governor shall select the chairperson of the board from among
64 the members of the board. Such chairperson shall schedule the first
65 meeting of the board, which shall be held not later than March 1, 2024.
66 The board shall meet not less than quarterly and at such other times as
67 such chairperson deems necessary or upon the request of a majority of
68 such members.

69 (g) A majority of the board shall constitute a quorum for the
70 transaction of any business.

71 (h) The members of the board shall serve without compensation, but
72 shall, within the limits of available funds, be reimbursed for expenses
73 necessarily incurred in the performance of their duties.

74 (i) The board shall have the following powers and duties: (1) Conduct
75 annual reviews of prescription drug product usage in this state to
76 identify any prescription drug products that may create affordability
77 challenges for the health care system in this state; (2) obtain data from
78 the Office of Health Strategy as necessary and available to carry out the
79 purposes of this section; (3) establish bylaws to govern such board's
80 procedures; and (4) perform such other acts as may be necessary and
81 appropriate to carry out the duties described in this section.

82 (j) In order for the board to carry out the provisions of subsection (i)
83 of this section, the Office of Health Strategy shall provide to such board,
84 not later than thirty days following the end of each calendar quarter
85 commencing on January 1, 2024, a list of all prescription drug products
86 obtained by the Office of Health Strategy pursuant to section 19a-754b
87 of the general statutes that are marketed in the state during the previous
88 calendar year.

89 (k) Not later than January 1, 2025, and annually thereafter, the board
90 shall submit a report, in accordance with the provisions of section 11-4a
91 of the general statutes, to the joint standing committee of the General
92 Assembly having cognizance of matters relating to insurance. The
93 report shall include, but need not be limited to: (1) The results of the
94 annual review conducted pursuant to subsection (i) of this section; (2)
95 price trends for prescription drug products in this state; and (3) any
96 recommendations such board may have on further legislation needed to
97 make prescription drug products more affordable in this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	New section

Statement of Purpose:

To establish a prescription drug affordability board to monitor prescription drug pricing in this state.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]