

HOUSE No. 3877

The Commonwealth of Massachusetts

PRESENTED BY:

David Henry Argosky LeBoeuf

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to capping the price of life saving prescription drugs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Dean A. Tran</i>	<i>Worcester and Middlesex</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>
<i>Alyson M. Sullivan</i>	<i>7th Plymouth</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>
<i>William L. Crocker, Jr.</i>	<i>2nd Barnstable</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Peter Capano</i>	<i>11th Essex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>
<i>Theodore C. Speliotis</i>	<i>13th Essex</i>

Kimberly N. Ferguson

1st Worcester

HOUSE No. 3877

By Mr. LeBoeuf of Worcester, a petition (accompanied by bill, House, No. 3877) of David Henry Argosky LeBoeuf and others relative to the cost of certain life saving prescription drugs, so-called. Financial Services.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to capping the price of life saving prescription drugs.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1 of chapter 6D of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by inserting after the definition of “Hospital service
3 corporation” the following definition:-

4 “Live-saving prescription drug”, a drug identified by the commission as critical to saving
5 the life of a patient.

6 SECITON 2. Said chapter 6D is hereby further amended by adding the following
7 section:-

8 Section 20. The commission shall establish a maximum cost-sharing amount for each
9 life-saving prescription drug.

10 SECTION 1. Chapter 32A of the General Laws is hereby amended by adding the
11 following section:-

12 Section 29. The commission shall not require any active or retired employee of the
13 commonwealth who is insured under the group insurance commission to pay more than the
14 maximum cost-sharing amount established pursuant to section 20 of chapter 6D for a life-saving
15 prescription drug.

16 SECTION 2. Chapter 118E of the General Laws is hereby amended by inserting after
17 section 10L the following section:-

18 Section 10M. The division and its contracted health insurers, health plans, health
19 maintenance organizations, behavioral health management firms and third-party administrators
20 under contract to a Medicaid managed care organization or primary care clinician plan shall not
21 require any beneficiary to pay more than the maximum cost-sharing amount established pursuant
22 to section 20 of chapter 6D for a life-saving prescription drug.

23 SECTION 3. Chapter 175 of the General Laws is hereby amended by inserting after
24 section 47KK the following section:-

25 Section 47LL. Any policy, contract, agreement, plan or certificate of insurance issued,
26 delivered or renewed within the commonwealth, which is considered creditable coverage under
27 section 1 of chapter 111M, shall not require any person so insured to pay more than the
28 maximum cost-sharing amount established pursuant to section 20 of chapter 6D for a life-saving
29 prescription drug.

30 SECTION 4. Chapter 176A of the General Laws is hereby amended by inserting after
31 section 8MM the following section:-

32 Section 8NN. Any contract between a subscriber and the corporation under an individual
33 or group hospital service plan that is delivered, issued or renewed within the commonwealth
34 shall not require any subscriber to pay more than the maximum cost-sharing amount established
35 pursuant to section 20 of chapter 6D for a life-saving prescription drug.

36 SECTION 5. Chapter 176B of the General laws is hereby amended by inserting after
37 section 4MM the following section:-

38 Section 4NN. Any subscription certificate under an individual or group medical service
39 agreement delivered, issued or renewed within the commonwealth shall not require any
40 subscriber to pay more than the maximum cost-sharing amount established pursuant to section
41 20 of chapter 6D for a life-saving prescription drug.

42 SECTION 6. Chapter 176G of the General Laws is hereby amended by inserting after
43 section 4EE the following section:-

44 Section 4FF. An individual or group health maintenance contract that is issued or
45 renewed shall not require any member to pay more than the maximum cost-sharing amount
46 established pursuant to section 20 of chapter 6D for a life-saving prescription drug.