

ASSEMBLY BILL

No. 1831

Introduced by Assembly Member Low

February 9, 2016

An act to add Section 1367.249 to the Health and Safety Code, and to add Section 10123.209 to the Insurance Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

AB 1831, as introduced, Low. Health care coverage: prescription drugs: refills.

Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the licensure and regulation of health care service plans by the Department of Managed Health Care and makes a willful violation of the act a crime. Existing law also provides for the regulation of health insurers by the Department of Insurance. Existing law imposes various requirements on health care service plan contracts and health insurance policies that cover prescription drug benefits.

This bill would require a health care service plan contract or health insurance policy issued, amended, or renewed on or after January 1, 2017, that provides coverage for prescription drugs benefits to allow for early refills of covered topical ophthalmic products at 70% of the predicted days of use. Because a willful violation of the bill's requirements by a health care service plan would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1367.249 is added to the Health and
2 Safety Code, to read:

3 1367.249. (a) A health care service plan contract issued,
4 amended, or renewed on or after January 1, 2017, that provides
5 coverage for prescription drug benefits shall allow for early refills
6 of covered topical ophthalmic products at 70 percent of the
7 predicted days of use.

8 (b) Nothing in this section shall be construed to establish a new
9 mandated benefit or to prevent the application of deductible or
10 copayment provisions in a plan contract.

11 SEC. 2. Section 10123.209 is added to the Insurance Code, to
12 read:

13 10123.209. (a) A health insurance policy issued, amended, or
14 renewed on or after January 1, 2017, that provides coverage for
15 prescription drug benefits shall allow for early refills of covered
16 topical ophthalmic products at 70 percent of the predicted days of
17 use.

18 (b) Nothing in this section shall be construed to establish a new
19 mandated benefit or to prevent the application of deductible or
20 copayment provisions in a health insurance policy.

21 SEC. 3. No reimbursement is required by this act pursuant to
22 Section 6 of Article XIII B of the California Constitution because
23 the only costs that may be incurred by a local agency or school
24 district will be incurred because this act creates a new crime or
25 infraction, eliminates a crime or infraction, or changes the penalty
26 for a crime or infraction, within the meaning of Section 17556 of
27 the Government Code, or changes the definition of a crime within
28 the meaning of Section 6 of Article XIII B of the California
29 Constitution.

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