

ASSEMBLY, No. 4420

STATE OF NEW JERSEY

220th LEGISLATURE

INTRODUCED JUNE 29, 2022

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

SYNOPSIS

Requires health insurance carriers to provide list of alternative drugs to health care professionals, pharmacists, and covered persons under certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/15/2022)

1 AN ACT concerning prescription drug benefit coverage and
2 supplementing P.L.1997, c.192 (C.26:2S-1 et al.).
3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*
6

7 1. a. A carrier that offers a health benefits plan in this State
8 which provides coverage for pharmacy services, prescription drugs, or
9 for participation in a prescription drug plan, shall provide to a
10 pharmacist in a situation in which the carrier denies a covered person's
11 coverage for a drug prescribed by the health care professional, a list of
12 all alternative drugs that are covered by the health benefits plan and
13 that are interchangeable with, and therapeutically equivalent to, the
14 drug for which coverage was denied. The carrier shall provide the list
15 of alternative drugs to the pharmacy point of sale system at the time of
16 denial, along with the notice of the denial of coverage.

17 b. For purposes of this section, "health care professional" means a
18 person licensed to practice a health care profession pursuant to Title 45
19 of the Revised Statutes.

20 "Carrier" means any entity that contracts or offers to contract to
21 provide, deliver, arrange for, pay for, or reimburse any of the costs of
22 health care services, including a sickness and accident insurance
23 company, a health maintenance organization, a hospital or health
24 service corporation, a multiple employer welfare arrangement, an
25 entity under contract with the State Health Benefits Program or the
26 School Employees' Health Benefits Program to administer a health
27 benefits plan, an entity under contract with the Division of Medical
28 Assistance and Health Services in the Department of Human Services
29 to provide benefits to persons who are eligible for Medicaid under
30 P.L.1968, c.413 (C.30:4D-1 et seq.), or any other entity providing a
31 health benefits plan.

32 "Pharmacist" means an individual currently licensed by this State
33 to engage in the practice of pharmacy.
34

35 2. This act shall take effect on the 90th day next following the
36 date of enactment.
37

38 STATEMENT 39 40

41 This bill supplements the "Health Care Quality Act" to require a
42 carrier that offers a health benefits plan in this State which provides
43 coverage for pharmacy services, prescription drugs, or for
44 participation in a prescription drug plan, to provide to a pharmacist
45 in a situation in which the carrier denies a covered person's
46 coverage for a drug prescribed by the health care professional, a list
47 of all alternative drugs that are covered by the health benefits plan
48 and that are interchangeable with, and therapeutically equivalent to,

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- 1 the drug for which coverage was denied. The carrier is to provide
- 2 the list of alternative drugs to the pharmacy point of sale system at
- 3 the time of denial, along with the notice of the denial of coverage
- 4 along with the notice of the denial of coverage.