

ASSEMBLY FINANCIAL INSTITUTIONS AND INSURANCE
COMMITTEE

STATEMENT TO
ASSEMBLY, No. 5212

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 2023

The Assembly Financial Institutions and Insurance Committee reports favorably and with committee amendments Assembly Bill No. 5212.

As amended, this bill incorporates the use of healthcare platforms such as GoodRx and SingleCare into the laws governing pharmacy benefits managers, pharmacists and telehealth. “Healthcare platform” is defined in the bill as an Internet-based service through which a consumer, who may or may not have separate health insurance coverage, may set-up an account or become a member to obtain discounts on prescription or non-prescription drugs or devices and through which other services, including telemedicine, may be provided. The bill authorizes patients to use a membership or an account with a healthcare platform and to stipulate that a licensee of the Board of Pharmacy will not be penalized for allowing a patient to use a discount from a healthcare platform as part of payment. The bill also stipulates that a pharmacy benefits manager is to not prohibit or apply any penalty or disincentive to a network pharmacy if a discounted price generated by a healthcare platform is applied to the payment made by a covered person with an account or membership to the healthcare platform for a prescription drug even if the covered person maintains health insurance coverage.

Additionally, the bill allows a patient with a membership or an account in a healthcare platform to apply the membership or account towards payment of services provided as a result of telehealth or telemedicine. The patient is to notify a provider of any identification number, if given, in connection with the membership or account with a healthcare platform to ensure the preservation of a proper patient-provider relationship.

As amended and reported by the committee, Assembly Bill No. 5212 is identical to Senate Bill No. 3604, as also amended and reported by the committee on this date.

COMMITTEE AMENDMENTS:

The committee amended the bill to update the law underlying a provision in the bill.