

SENATE, No. 4759

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 5, 2026

Sponsored by:
Senator ANGELA V. MCKNIGHT
District 31 (Hudson)

SYNOPSIS

Requires pharmacies to provide emergency 30-day supply of insulin in certain circumstances.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning insulin access in certain circumstances and
2 supplementing P.L.2003, c.280 (C.45:14-40 et seq.).
3

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

7 1. As defined in this act:

8 “Board” means the New Jersey State Board of Pharmacy
9 established pursuant to P.L.2003, c.280 (C.45:14-40 et seq.).

10 “Department” means the Department of Banking and Insurance.

11 “Urgent need of insulin” means having readily available for use
12 less than a seven-day supply of insulin and in need of insulin to
13 avoid the likelihood of suffering significant health consequences.
14

15 2. a. An individual in urgent need of insulin may access a one-
16 time emergency 30-day supply of insulin through the application
17 established pursuant to section 3 of this act.

18 b. The emergency 30-day supply shall only be provided once in
19 a 12-month period. If the individual has applied for medical
20 assistance through the NJ FamilyCare Program but has not yet been
21 determined eligible or the individual is determined eligible, but
22 coverage has not become effective, a second emergency 30-day
23 supply of insulin shall be dispensed.
24

25 3 a. The Department of Banking and Insurance, in
26 collaboration with the New Jersey State Board of Pharmacy, shall
27 develop an application form to be used by an individual who is in
28 urgent need of insulin.

29 b. The application shall require the individual to attest that:

30 (1) the individual is a resident of this State;

31 (2) the individual is not currently enrolled in NJ Family Care or
32 a similar medical assistance program;

33 (3) the individual is not enrolled in prescription drug coverage
34 that limits the total amount of cost-sharing that the enrollee is
35 required to pay for a 30-day supply of insulin, including co-
36 payments, deductibles, or coinsurance to \$35 or less, regardless of
37 the type of amount of insulin prescribed;

38 (4) the individual is in urgent need of insulin; and

39 (5) the individual has not received an urgent-need supply of
40 insulin through this program within the previous 12 months, or the
41 individual has applied for medical assistance through the NJ
42 FamilyCare Program but has not yet been determined eligible or has
43 been determined eligible but coverage has not become effective.
44

45 4. The pharmacy may submit to the manufacturer of the
46 dispensed insulin product or to the manufacturer’s vendor a claim
47 for payment, unless the manufacturer agrees to send to the
48 pharmacy a replacement supply of the same insulin as dispensed in

1 the amount dispensed. If the pharmacy submits an electronic claim
2 to the manufacturer or the manufacturer's vendor, the manufacturer
3 or vendor shall reimburse the pharmacy an amount that covers the
4 pharmacy's acquisition cost.

5
6 5. The department may, after notice and hearing, assess a civil
7 penalty in an amount that is not to exceed \$100,000 per month on a
8 manufacturer that fails to comply with the provisions of this act.
9 All civil penalties assessed pursuant to this section may be
10 recovered with costs in a summary proceeding commenced by the
11 department pursuant to the "Penalty Enforcement Law of 1999,"
12 P.L.1999, c.274 (C.2A:58-10 et seq.).

13
14 6. The department shall, pursuant to the "Administrative
15 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules
16 and regulations necessary to effectuate the purpose of this act.

17
18 7. This act shall take effect 180 days after the date of
19 enactment.

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21
22 STATEMENT

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24 This bill requires pharmacies to provide an emergency 30-day
25 supply of insulin in certain circumstances.

26 Under the bill, the Department of Banking and Insurance, in
27 collaboration with the New Jersey State Board of Pharmacy, will be
28 required to establish an application process to allow individuals in
29 urgent need of insulin to access the medication for a one-time,
30 emergency 30-day supply of insulin.

31 The application will require the individual to attest that:

32 (1) the individual is a resident of this State;

33 (2) the individual is not enrolled in NJ FamilyCare or similar
34 medical assistance program;

35 (3) the individual is not enrolled in prescription drug covered
36 that limits the total amount of cost-sharing that the enrollee is
37 required to pay for a 30-day supply of insulin, including co-
38 payments, deductibles, or coinsurance to \$35 or less, regardless of
39 the type of amount of insulin prescribed;

40 (4) the individual is in urgent need of insulin; and

41 (5) the individual has not received an urgent-need supply of
42 insulin through this program within the previous 12 months

43 A pharmacy that dispenses insulin pursuant to this bill may
44 submit to the manufacturer of the dispensed insulin product or to
45 the manufacturer's vendor a claim for payment unless the
46 manufacturer agrees to send to the pharmacy a replacement supply
47 of the same insulin as dispensed in the amount dispensed. If the
48 pharmacy submits an electronic claim to the manufacturer or the

1 manufacturer's vendor, the manufacturer or manufacturer's vendor
2 shall reimburse the pharmacy in an amount that covers the
3 pharmacy's acquisition cost.

4 If a manufacturer fails to comply with the provisions of this bill,
5 the department may, after notice and hearing, assess a civil penalty
6 in an amount that is not to exceed \$100,000 per month of
7 noncompliance.

8 For the purpose of this bill, "urgent need of insulin" means
9 having readily available for use less than a seven-day supply of
10 insulin and in need of insulin to avoid the likelihood of suffering
11 significant health consequences.