

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**ENGROSSED**

*This Version Includes All Amendments Adopted  
on Second Reading in the House of Introduction*

LLS NO. 16-0477.01 Kristen Forrestal x4217

**HOUSE BILL 16-1095**

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**HOUSE SPONSORSHIP**

**McCann**, Ginal, Primavera

**SENATE SPONSORSHIP**

**Crowder**,

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**House Committees**  
Health, Insurance, & Environment

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING HEALTH INSURANCE COVERAGE FOR EARLY REFILLS OF**  
102     **PRESCRIPTION EYE DROPS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

The bill requires health benefit plans, except for supplemental policies, to provide coverage for the renewal of prescription eye drops if:

- !     The renewal is requested within a specified amount of time, depending on how many days the prescription is for; and
- !     The original prescription states that additional quantities are needed and the renewal does not exceed the number of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

HOUSE  
Amended 2nd Reading  
February 8, 2016

quantities needed.

The bill also requires coverage for an additional bottle of prescription eye drops if the bottle is requested at the time of the original prescription and the bottle is needed for use in a day care center or school.

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1       *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, 10-16-104, **add** (22)  
3       as follows:

4           **10-16-104. Mandatory coverage provisions - definitions -**  
5       **rules.** (22) **Prescription eye drop refill coverage.** (a) ANY HEALTH  
6       BENEFIT PLAN, EXCEPT SUPPLEMENTAL POLICIES COVERING A SPECIFIED  
7       DISEASE OR OTHER LIMITED BENEFIT, THAT PROVIDES COVERAGE FOR  
8       PRESCRIPTION EYE DROPS SHALL PROVIDE COVERAGE FOR:

9           (I) A RENEWAL OF PRESCRIPTION EYE DROPS IF:

10           (A) THE RENEWAL IS REQUESTED BY THE INSURED AT LEAST  
11       TWENTY-ONE DAYS FOR A THIRTY-DAY SUPPLY OF EYE DROPS, FORTY-TWO  
12       DAYS FOR A SIXTY-DAY SUPPLY OF EYE DROPS, OR SIXTY-THREE DAYS FOR  
13       A NINETY-DAY SUPPLY OF EYE DROPS, FROM THE LATER OF THE DATE THAT  
14       THE ORIGINAL PRESCRIPTION WAS DISTRIBUTED TO THE INSURED OR THE  
15       DATE THAT THE LAST RENEWAL OF THE PRESCRIPTION WAS DISTRIBUTED  
16       TO THE INSURED; AND

17           (B) THE ORIGINAL PRESCRIPTION STATES THAT ADDITIONAL  
18       QUANTITIES ARE NEEDED AND THE RENEWAL REQUESTED BY THE INSURED  
19       DOES NOT EXCEED THE NUMBER OF ADDITIONAL QUANTITIES NEEDED; AND

20           (II) ONE ADDITIONAL BOTTLE OF PRESCRIPTION EYE DROPS IF:

21           (A) A BOTTLE IS REQUESTED BY THE INSURED OR THE HEALTH  
22       CARE PROVIDER AT THE TIME THE ORIGINAL PRESCRIPTION IS FILLED; AND  
23           (B) THE ORIGINAL PRESCRIPTION STATES THAT ONE ADDITIONAL

1 BOTTLE IS NEEDED BY THE INSURED FOR USE IN A DAY CARE CENTER,  
2 SCHOOL, OR ADULT DAY PROGRAM. THE ADDITIONAL BOTTLE IS LIMITED  
3 TO ONE BOTTLE EVERY THREE MONTHS.

4 (b) THE PRESCRIPTION EYE DROP BENEFITS COVERED UNDER THIS  
5 SUBSECTION (22) ARE SUBJECT TO THE SAME ANNUAL DEDUCTIBLES,  
6 COPAYMENT, OR COINSURANCE ESTABLISHED FOR ALL OTHER  
7 PRESCRIPTION DRUG BENEFITS UNDER THE HEALTH BENEFIT PLAN.

8 **SECTION 2. Act subject to petition - effective date.** This act  
9 takes effect January 1, 2017; except that, if a referendum petition is filed  
10 pursuant to section 1 (3) of article V of the state constitution against this  
11 act or an item, section, or part of this act within the ninety-day period  
12 after final adjournment of the general assembly, then the act, item,  
13 section, or part will not take effect unless approved by the people at the  
14 general election to be held in November 2016 and, in such case, will take  
15 effect on January 1, 2017, or on the date of the official declaration of the  
16 vote thereon by the governor, whichever is later.