

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 16-0477.01 Kristen Forrestal x4217

HOUSE BILL 16-1095

HOUSE SPONSORSHIP

McCann, Ginal, Primavera

SENATE SPONSORSHIP

Crowder,

House Committees

Health, Insurance, & Environment

Senate Committees

A BILL FOR AN ACT

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

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.*

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.

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.