

CHAPTER 312

INSURANCE

SENATE BILL 02-188

BY SENATOR(S) Tate, Hagedorn, Hanna, Hernandez, Isgar, Matsunaka, Nichol, Pascoe, Tupa, and Windels;
also REPRESENTATIVE(S) Spradley, Borodkin, Boyd, Clapp, Coleman, Daniel, Groff, Hodge, Jahn, Marshall, Miller,
Romanoff, Sanchez, Tapia, Weddig, and Williams S.

AN ACT

CONCERNING A REQUIREMENT THAT HEALTH BENEFIT PLANS ISSUE PRESCRIPTION CARDS CONTAINING UNIFORM INFORMATION.

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

SECTION 1. Part 1 of article 16 of title 10, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

10-16-124. Prescription information cards - legislative declaration. (1) IT IS THE INTENT OF THE GENERAL ASSEMBLY TO LESSEN PATIENTS' WAITING TIMES FOR PRESCRIPTIONS, TO DECREASE ADMINISTRATIVE BURDENS FOR PHARMACIES, AND TO IMPROVE CARE TO PATIENTS BY MINIMIZING CONFUSION, ELIMINATING UNNECESSARY PAPERWORK, AND STREAMLINING THE DISPENSING OF PRESCRIPTION DRUGS PAID FOR BY THIRD PARTY PAYORS.

(2) EACH HEALTH BENEFIT PLAN THAT OFFERS COVERAGE FOR PRESCRIPTION DRUGS SHALL ISSUE TO THE NAMED INSURED A CARD OR OTHER DEVICE CONTAINING UNIFORM PRESCRIPTION DRUG INFORMATION. SUCH CARD OR DEVICE SHALL BE IN THE FORMAT APPROVED BY THE NATIONAL COUNCIL FOR PRESCRIPTION DRUG PROGRAMS, SHALL INCLUDE ALL OF THE REQUIRED AND SITUATIONAL FIELDS AND SHALL CONFORM TO THE MOST RECENT PHARMACY IDENTIFICATION CARD OR DEVICE IMPLEMENTATION GUIDE PRODUCED BY THE NATIONAL COUNCIL FOR PRESCRIPTION DRUG PROGRAMS.

(3) (a) A NEW UNIFORM PRESCRIPTION DRUG INFORMATION CARD OR DEVICE, AS REQUIRED PURSUANT TO SUBSECTION (2) OF THIS SECTION, SHALL BE ISSUED BY A CARRIER:

(I) WHEN A PERSON ENROLLS IN A HEALTH BENEFIT PLAN THAT OFFERS

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

PRESCRIPTION DRUG COVERAGE; AND

(II) WHEN A PERSON'S COVERAGE CHANGES AND THE CHANGE AFFECTS DATA CONTAINED ON THE CARD OR DEVICE.

(b) NEWLY ISSUED CARDS OR DEVICES SHALL BE UPDATED WITH THE LATEST COVERAGE INFORMATION AND SHALL CONFORM TO THE NATIONAL COUNCIL FOR PRESCRIPTION DRUG PROGRAMS' STANDARDS THEN IN EFFECT AND TO THE IMPLEMENTATION GUIDE THEN IN USE.

(4) NO HEALTH MAINTENANCE ORGANIZATION THAT SUPPLIES BENEFITS TO ITS PLAN SUBSCRIBERS THROUGH AN IN-HOUSE DRUG OR PHARMACY OUTLET AND HAS RECEIVED A CERTIFICATE OF AUTHORITY PURSUANT TO PART 4 OF THIS ARTICLE SHALL BE SUBJECT TO THIS SECTION.

(5) THE PROVISIONS OF THE SECTION SHALL NOT APPLY TO THE CHILDREN'S BASIC HEALTH PLAN AS DESCRIBED IN ARTICLE 19 OF TITLE 26, C.R.S.

SECTION 2. Effective date - applicability. This act shall take effect January 1, 2003, and shall apply to health benefit policies issued or renewed on or after said date.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: June 7, 2002