SB.523, An Act to Ensure Access to Medications
Sponsor: Sen. James B. Eldridge
Current Status: Referred to the committee on Financial Services (1/2017)

Summary
This legislation amends the “Any Willing Provider” law to allow community pharmacies to fill prescriptions for “specialty medications” as long as they can provide the required administrative, handling, and monitoring services required by the drug. Insurers and pharmacy benefit managers have been getting around the “Any Willing Provider Law” by designating a medication a “specialty medication” even when the drug requirements are minimal (e.g., Humira). This legislation will close that loophole. This will also assist patients by allowing them to obtain all their medication from one pharmacy instead of trying to coordinate mail shipments from a specialty pharmacy located in another state.

Bill Text
SECTION 1. Section 3B of chapter 176D as appearing in the 2014 Official Edition is hereby amended by inserting in paragraph 4, after the word "network" in line 70, the following sentence:- A carrier shall not prohibit the dispensing of specialty drugs as defined by this section that are included in its pharmaceutical drug benefits to insureds by a non-network pharmacy provided that the pharmacy is able to provide the special handling, administration and monitoring requirements of the specialty drug.

Section 3B of chapter 176D as so appearing is hereby further amended by inserting at the end of paragraph 8 in line 114, the following sentence:- The term "specialty drugs" shall mean prescription medications that require special handling, administration or monitoring.

SECTION 2. The board of registration in pharmacy and the division of insurance shall promulgate regulations to enforce this section.