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HOUSE BILL NO. 1670

Offered January 13, 2025

Prefiled January 3, 2025

A BILL to amend the Code of Virginia by adding a section numbered 38.2-3407.15:8, relating to health insurance; cost-sharing for epinephrine injectors.

Patron—Jones

Referred to Committee on Labor and Commerce

Be it enacted by the General Assembly of Virginia:**1. That the Code of Virginia is amended by adding a section numbered 38.2-3407.15:8 as follows:****§ 38.2-3407.15:8. Limit on cost-sharing payments for epinephrine injectors.****A. As used in this section:***"Carrier" has the same meaning ascribed thereto in subsection A of § 38.2-3407.15.**"Cost-sharing payment" means the total amount a covered person is required to pay at the point of sale in order to receive a prescription drug or device that is covered under the covered person's health plan.**"Covered person" means a policyholder, subscriber, participant, or other individual covered by a health plan.**"Health plan" means any health benefit plan, as defined in § 38.2-3438, that provides coverage for epinephrine injectors.**"Pharmacy benefits manager" means an entity that engages in the administration or management of prescription drug benefits provided by a carrier for the benefit of its covered persons.**"Provider contract" has the same meaning ascribed thereto in subsection A of § 38.2-3407.15.***B. Every health plan offered by a carrier shall set the cost-sharing payment that a covered person is required to pay for a two-pack of covered epinephrine injectors at an amount not to exceed \$60, regardless of the type of epinephrine injector.****C. Nothing in this section shall prevent a carrier from setting a covered person's cost-sharing payment for a two-pack of covered epinephrine injectors at an amount that is less than the maximum amount permitted pursuant to subsection B.****D. No provider contract between a carrier or its pharmacy benefits manager and a pharmacy or its contracting agent shall contain a provision (i) authorizing the carrier's pharmacy benefits manager or the pharmacy to charge, (ii) requiring the pharmacy to collect, or (iii) requiring a covered person to make a cost-sharing payment for a covered pack of epinephrine injectors in an amount that exceeds the amount of cost-sharing payment for the covered pack of epinephrine injectors established by the carrier pursuant to subsection B.****E. This section shall apply with respect to health plans and provider contracts entered into, amended, extended, or renewed on or after January 1, 2026.**

INTRODUCED

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