

115TH CONGRESS
2D SESSION

S. 2554

To ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees.

IN THE SENATE OF THE UNITED STATES

MARCH 14, 2018

Ms. COLLINS (for herself, Mrs. McCASKILL, Mr. BARRASSO, Ms. STABENOW, and Mr. CASSIDY) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Patient Right to Know
5 Drug Prices Act”.

1 **SEC. 2. PROHIBITION ON LIMITING CERTAIN INFORMATION**
2 **ON DRUG PRICES.**

3 (a) EXCHANGE PLANS.—Section 1311(e) of the Pa-
4 tient Protection and Affordable Care Act (42 U.S.C.
5 18031(e)) is amended by adding at the end the following:

6 “(4) INFORMATION ON PRESCRIPTION
7 DRUGS.—The Exchange shall require health plans
8 seeking certification as qualified health plans to en-
9 sure that—

10 “(A) the health insurance issuer does not
11 restrict any pharmacy that dispenses a pre-
12 scription drug to an enrollee in the plan from
13 informing (or penalize such pharmacy for in-
14 forming) an enrollee of any differential between
15 the price of the drug to the enrollee under the
16 plan and the price the individual would pay for
17 the drug if the enrollee obtained the drug with-
18 out using any health insurance coverage; and

19 “(B) any entity that provides pharmacy
20 benefits management services under a contract
21 with any such health plan does not, with re-
22 spect to such plan or any health benefits plan
23 that the entity contracts with to provide phar-
24 macy benefits management services and that is
25 offered by an entity other than such sponsor or
26 organization, restrict a pharmacy that dispenses

1 a prescription drug from informing (or penalize
2 such pharmacy for informing) an enrollee of
3 any differential between the price of the drug to
4 the enrollee under the plan and the price the in-
5 dividual would pay for the drug if the enrollee
6 obtained the drug without using any health in-
7 surance coverage.”.

8 (b) OTHER HEALTH PLANS.—The provisions of sec-
9 tion 1311(e)(4) of the Patient Protection and Affordable
10 Care Act (as added by subsection (a)) shall apply to all
11 health insurance issuers with respect to health insurance
12 coverage and to all group health plans (as such terms are
13 defined in section 2791 of the Public Health Service Act
14 (42 U.S.C. 300gg–91)).

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