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H.77

Introduced by Representatives Komline of Dorset, Zagar of Barnard, Burke of  
Brattleboro, Conquest of Newbury, McCormack of Burlington,  
Poirier of Barre City, and Toleno of Brattleboro

Referred to Committee on

Date:

Subject: Health; health care services; pharmacies; prescription drugs;  
consumer information

Statement of purpose of bill as introduced: This bill proposes to require the  
Green Mountain Care Board to create an online database through which  
consumers may compare the cost and quality of health care services around the  
State. The bill would also require pharmacies to post in the store and online  
the actual cost of the 20 most commonly prescribed medications.

An act relating to increasing consumer access to health care cost  
information

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 18 V.S.A. § 9410a is added to read:

§ 9410a. HEALTH CARE QUALITY AND PRICE COMPARISON

(a)(1) The Green Mountain Care Board shall establish a website allowing  
health care consumers to compare the price of medical care in Vermont by

1 insurance plan and by service or procedure, including office visits, emergency  
2 care, radiologic services, and preventive care such as mammography and  
3 colonoscopy, as well as comparing the cost of prescription drugs. The website  
4 shall also enable consumers to compare quality across providers. The Board  
5 may develop and administer the comparison website itself or through a  
6 contract with a third party.

7 (2) The website shall allow a consumer to compare price by selecting a  
8 specific service or procedure, insurance plan, and geographic region of the  
9 State. Based on the criteria specified, the website shall provide the consumer  
10 with an estimate for each provider of the amount the consumer would pay for  
11 the service or procedure, an estimate of the amount the insurance would pay,  
12 and an estimate of the combined payments.

13 (3) For consumers without health insurance or who choose to compare  
14 costs without selecting an insurance plan, the website shall provide the average  
15 cost for the service or procedure in the specified geographic region.

16 (b) Cost data for the comparison website shall be derived from the unified  
17 health care database established in section 9410 of this title.

18 (c) The Department of Vermont Health Access shall ensure that the website  
19 for the Vermont Health Benefit Exchange includes a prominently placed link  
20 to the comparison website established by this section to allow health care

1 consumers to make informed decisions about the health care services they  
2 receive.

3 Sec. 2. 18 V.S.A. § 4634 is amended to read:

4 § 4634. PRESCRIPTION DRUG PRICE DISCLOSURE

5 (a) Upon request, a pharmacy shall disclose to any consumer or health care  
6 provider the usual and customary retail price of a prescription drug.

7 (b) With each prescription dispensed, a pharmacy shall disclose to the  
8 consumer, in writing, the price of the prescription and any payment toward the  
9 price required of the consumer.

10 (c) Each pharmacy shall display on or near the pharmacy counter and on  
11 the pharmacy website, if any, the usual and customary retail price of the 20  
12 most commonly prescribed prescription medications dispensed at that  
13 pharmacy, as well as the average price for each of those prescription  
14 medications.

15 (d) ~~For purposes of~~ As used in this section:

16 (1) “Price of the prescription” means the amount charged by the  
17 pharmacy to the consumer or, if applicable, to the consumer’s health benefit  
18 plan.

19 (2) “Usual and customary retail price” means the total price charged to a  
20 consumer who does not have prescription drug coverage under a health benefit  
21 plan.

1        ~~(d)~~(e) In addition to any other remedy provided by law, the ~~attorney~~  
2        ~~general~~ Attorney General may file an action in ~~superior court~~ Superior Court  
3        for a violation of this section. In any such action, the ~~attorney general~~ Attorney  
4        General shall have the same authority to investigate and to obtain remedies as  
5        if the action were brought under the Consumer Protection Act, 9 V.S.A.  
6        chapter 63. Each violation of this section constitutes a separate civil violation  
7        for which the ~~attorney general~~ Attorney General may obtain relief.

8        Sec. 3. EFFECTIVE DATE

9        This act shall take effect on passage. The Green Mountain Care Board shall  
10       ensure the website required by Sec. 1 is operational on or before October 1,  
11       2015, and pharmacies shall display the information required by Sec. 2 on or  
12       before July 1, 2015.