

1 H.652

2 Introduced by Representative Conquest of Newbury

3 Referred to Committee on

4 Date:

5 Subject: Health; Green Mountain Care Board; prescription drugs; health care
6 claims tax; prior authorization

7 Statement of purpose of bill as introduced: This bill proposes to increase the
8 amount of the health care claims tax to support a Green Mountain Care Board-
9 maintained database of prescription drugs that are on most health insurance
10 plans' formularies and for which prior authorization is not required.

11 An act relating to establishing a database of prescription drugs for which
12 prior authorization is not required

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

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

15 § 9410a. PRESCRIPTION DRUG FORMULARY DATABASE

16 (a) The Green Mountain Care Board shall establish and maintain a current
17 database of prescription drugs that are included on most of the health insurance
18 plans covering residents of this State and for which prior authorization is not
19 required. The Board shall make the database available to health care providers
20 to inform their decision making when prescribing drugs for their patients.

1 (b)(1) Health insurers and pharmacy benefit managers shall provide to the
2 Board at least monthly, or more frequently if so requested by the Board, a list
3 of the prescription drugs on their formularies for which prior authorization is
4 not required. The Board shall use this information to maintain the database
5 established pursuant to subsection (a) of this section and shall ensure that the
6 database reflects the most current information, to the greatest extent
7 practicable.

8 (2) The Board shall undertake appropriate measures to protect the
9 confidentiality of any information provided by health insurers and pharmacy
10 benefit managers that reasonably could be considered trade secrets, as defined
11 in 1 V.S.A. § 317(c)(9).

12 (c) The Board may adopt rules pursuant to 3 V.S.A. chapter 25 as needed
13 to carry out the provisions of this section.

14 Sec. 2. 32 V.S.A. § 10402 is amended to read:

15 § 10402. HEALTH CARE CLAIMS TAX

16 (a) There is imposed on every health insurer an annual tax in an amount
17 equal to ~~0.8~~ 0.82 of one percent of all health insurance claims paid by the
18 health insurer for its Vermont members in the previous fiscal year ending on
19 June 30. The annual fee shall be paid to the Commissioner of Taxes in one
20 installment due ~~by~~ on or before January 1.

1 (b) Revenues paid and collected under this chapter shall be deposited as
2 follows:

3 (1) 0.8 of one percent of all health insurance claims into the State Health
4 Care Resources Fund established in 33 V.S.A. § 1901d; and

5 (2) 0.02 of one percent of all health insurance claims into the Green
6 Mountain Care Board Regulatory and Administrative Fund established in
7 18 V.S.A. § 9404(d) to support the Board's establishment and maintenance of
8 the prescription drug formulary database pursuant to 18 V.S.A. § 9410a.

9 * * *

10 Sec. 3. EFFECTIVE DATES

11 (a) Sec. 1 (formulary database) shall take effect on July 1, 2019.

12 (b) Sec. 2 (health care claims tax) shall take effect on July 1, 2018 and shall
13 apply beginning with the claims tax due on January 1, 2019.

14 (c) This section shall take effect on July 1, 2018.