

H.611 – HIV prevention drug amendment language for discussion

... by striking out Sec. 10, effective date, in its entirety and inserting in lieu thereof three new sections to be Secs. 10–12 to read as follows:

Sec. 10. 8 V.S.A. § 4077 is amended to read:

§ 4077. REPRODUCTIVE HEALTH CARE SERVICES

* * *

(h)(1) As used in this subsection, “HIV prevention drug” means any preexposure prophylaxis drug or postexposure prophylaxis drug, including oral and long-acting injectable formulations, that is approved by the FDA for HIV prevention or that is otherwise authorized for HIV prevention pursuant to FDA labeling or federal clinical guidelines.

(2) A health insurance plan shall provide coverage for HIV prevention drugs without any deductible, coinsurance, co-payment, or other cost-sharing requirement and without imposing prior authorization or step-therapy requirements, quantity or frequency limits, or any other protocol that may restrict or delay the dispensing of any HIV prevention drug. The coverage shall include patient education and counseling by the covered individual’s health care provider regarding the appropriate use of the HIV prevention drug or drugs prescribed.

(3) This subsection shall apply to Medicaid and any other public health care assistance program offered or administered by the State or by any subdivision or instrumentality of the State.

Sec. 11. 26 V.S.A. § 2023 is amended to read:

§ 2023. CLINICAL PHARMACY; PRESCRIBING

* * *

(b) A pharmacist may prescribe in the following contexts:

* * *

(2) State protocol.

(A) A pharmacist may prescribe, order, or administer in a manner consistent with valid State protocols that are approved by the Commissioner of Health after consultation with the Director of Professional Regulation and the Board and the ability for public comment:

* * *

(xii) tests for SARS-CoV for asymptomatic individuals or related serology for individuals by entities holding a Certificate of Waiver pursuant to the Clinical Laboratory Amendments of 1988 (42 U.S.C. § 263a); ~~and~~

(xiii) emergency contraception; and

(xiv) for patients 18 years of age or older, medications for the prevention of human immunodeficiency virus, including those for preexposure and postexposure prophylaxis.

Sec. 12. EFFECTIVE DATES

This act shall take effect on July 1, 2026, except that:

(1) Sec. 2 (18 V.S.A. § 4682) and this section shall take effect on passage; and

(2) Sec. 10 (8 V.S.A. § 4077) shall take effect on January 1, 2027, and shall apply to all health insurance plans issued on and after January 1, 2027, on such date as a health insurer offers, issues, or renews the health insurance plan, but in no event later than January 1, 2028.