



www.lsc.ohio.gov

# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

S.B. 227  
136<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsors:** Sen. Craig

Elizabeth Molnar, Attorney

### SUMMARY

- Prohibits a health plan issuer from imposing – on a prescription insulin drug – cost sharing in an amount that exceeds \$35 for a 30-day supply.

### DETAILED ANALYSIS

#### Insulin cost-sharing limit

S.B. 227 prohibits a health plan issuer from imposing – on a prescription insulin drug – cost sharing in an amount that exceeds \$35 for a 30-day supply. The prohibition applies as follows: (1) only to health plan issuers that provide coverage for prescription insulin drugs and (2) regardless of the amount or type of insulin needed to fill a covered person’s prescription. Under the bill, cost sharing must be charged on a per-prescription-fill basis.<sup>1</sup>

#### Application of mandated health benefits

The bill exempts its provisions regarding prescription insulin drug cost sharing from an existing law that could prevent them from being applied until a review by the Superintendent of Insurance has been conducted with respect to mandated health benefits.<sup>2</sup> Under current law, if the General Assembly enacts a statute mandating health benefits, that statute cannot be applied to any health benefit plan until the Superintendent of Insurance holds a hearing and determines that it can be applied fully and equally in all respects to (1) employee benefit plans subject to regulation by the federal “Employee Retirement Income Security Act of 1974,” (ERISA),<sup>3</sup> and

<sup>1</sup> R.C. 3902.65(A) and (B).

<sup>2</sup> R.C. 3902.65(B).

<sup>3</sup> 29 United States Code (U.S.C.) 1001.

(2)employee benefit plans established or modified by the state or its political subdivisions.<sup>4</sup> ERISA appears to preempt any state regulation of such plans.<sup>5</sup>

## Definitions

- Prescription insulin drug means a prescription drug that contains insulin and is used to treat diabetes.<sup>6</sup>
- Cost sharing means the cost to a covered person under a health benefit plan according to any copayment, coinsurance, deductible, or other out-of-pocket expense requirement.
- Covered person means a person covered by a health benefit plan.
- Health plan issuer means an entity subject to Ohio’s insurance laws that contracts to provide, pay for, or reimburse any of the costs of health care services. The term includes a sickness and accident insurer, a health insuring corporation, a fraternal benefit society, a self-funded multiple employer welfare arrangement, and a nonfederal, government health plan. The term also includes a third-party administrator to the extent that the benefits the administrator is contracted to administer are subject to Ohio insurance laws or to the Superintendent’s jurisdiction.<sup>7</sup>

## HISTORY

Action	Date
Introduced	07-01-25

ANSB0227IN-136/ts

<sup>4</sup> R.C. 3901.71, not in the bill.

<sup>5</sup> 29 U.S.C. 1144.

<sup>6</sup> R.C. 3902.65(A).

<sup>7</sup> R.C. 3902.50, not in the bill.