

As Introduced

133rd General Assembly

Regular Session

2019-2020

S. B. No. 231

Senators Craig, Antonio

Cosponsors: Senators Thomas, Williams, Yuko

A BILL

To require the Attorney General to investigate 1
insulin pricing and prepare and submit a report. 2

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. (A) The Attorney General shall investigate the 3
pricing of prescription drugs containing insulin. The purpose of 4
the investigation is to ensure adequate consumer protections in 5
the pricing and sale of insulin used to treat diabetes and to 6
determine if additional consumer protections are needed. 7

(B) (1) As part of the investigation, the Attorney General 8
shall compile and analyze information from companies engaged in 9
the manufacture or sale of prescription insulin drugs. The 10
information shall relate to company business practices, company 11
organization, drug pricing data and reports, and any other 12
information the Attorney General finds relevant to the 13
investigation. The Attorney General also shall consider any 14
publicly available data or information concerning drug pricing 15
generally and insulin pricing specifically. 16

(2) If necessary to meet the requirements of this section, 17
the Attorney General may issue one or more civil investigative 18

demands requiring any of the following to furnish to the Attorney General materials, answers, data, or other relevant information: state departments, health plan issuers, pharmacy benefit managers, drug manufacturers, or pharmacies.

(3) Any materials, answers, data, or other relevant information furnished to the Attorney General as part of the investigation are confidential, shall not be considered public records under section 149.43 of the Revised Code, and shall be used by the Attorney General only as necessary to meet the requirements of this section.

(C) (1) Not later than eighteen months after the effective date of this section, the Attorney General shall prepare and submit to the following a report detailing its findings:

(a) The Governor;

(b) The Superintendent of Insurance;

(c) The Chairpersons and Ranking Minority Members of the committees of the General Assembly having primary jurisdiction over issues relating to civil and criminal justice;

(d) The Chairpersons and Ranking Minority Members of the committees of the General Assembly having primary jurisdiction over issues relating to health.

(2) The report shall include all of the following:

(a) A summary of current insulin pricing practices and variables that contribute to insulin pricing by drug manufacturers, health plan issuers, pharmacy benefit managers, and pharmacies;

(b) Recommendations for controlling and preventing the overpricing of prescription insulin;

(c) Recommendations for improving Ohio's consumer	47
protection laws to prevent deceptive sales practices involving	48
the pricing and sale of prescription insulin;	49
(d) Any other information the Attorney General finds	50
relevant, except for confidential information as described in	51
division (B) (3) of this section.	52