

As Introduced

134th General Assembly

Regular Session

2021-2022

H. B. No. 305

Representatives Liston, Manning

**Cosponsors: Representatives Lightbody, Galonski, Miranda, Lanese, Boggs,
Denson, Russo, O'Brien, Weinstein, Boyd, Miller, A., Ginter, Sobecki, Miller, J.,
Crossman, Robinson, Brown, Sheehy, Smith, K., Crawley, Hall**

A BILL

To amend sections 3902.50, 3902.60, and 3902.70 and 1
to enact section 3902.62 of the Revised Code to 2
cap cost sharing for prescription insulin drugs. 3

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

Section 1. That sections 3902.50, 3902.60, and 3902.70 be 4
amended and section 3902.62 of the Revised Code be enacted to 5
read as follows: 6

Sec. 3902.50. As used in sections 3902.50 to ~~3902.54~~ 7
3902.71 of the Revised Code: 8

(A) "Ambulance" has the same meaning as in section 4765.01 9
of the Revised Code. 10

(B) "Clinical laboratory services" has the same meaning as 11
in section 4731.65 of the Revised Code. 12

(C) "Cost sharing" means the cost to a covered person 13
under a health benefit plan according to any copayment, 14
coinsurance, deductible, or other out-of-pocket expense 15
requirement. 16

(D) "Covered person," "health benefit plan," "health care services," and "health plan issuer" have the same meanings as in section 3922.01 of the Revised Code. 17
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(E) "Emergency facility" has the same meaning as in section 3701.74 of the Revised Code. 20
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(F) "Emergency services" means all of the following as described in 42 U.S.C. 1395dd: 22
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(1) Medical screening examinations undertaken to determine whether an emergency medical condition exists; 24
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(2) Treatment necessary to stabilize an emergency medical condition; 26
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(3) Appropriate transfers undertaken prior to an emergency medical condition being stabilized. 28
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(G) "Unanticipated out-of-network care" means health care services, including clinical laboratory services, that are covered under a health benefit plan and that are provided by an out-of-network provider when either of the following conditions applies: 30
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(1) The covered person did not have the ability to request such services from an in-network provider. 35
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(2) The services provided were emergency services. 37

Sec. 3902.60. As used in sections 3902.60 and 3902.61 of the Revised Code: 38
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(A) "Associated conditions" means the symptoms or side effects of stage four advanced metastatic cancer, or the treatment thereof, which would, in the judgment of the health care practitioner in question, jeopardize the health of a 40
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covered individual if left untreated. 44

(B) ~~"Covered person," "health benefit plan," and "health plan issuer" have the same meanings as in section 3922.01 of the Revised Code.~~ 45
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~~(C)~~ "Stage four advanced metastatic cancer" means a cancer 48
that has spread from the primary or original site of the cancer 49
to nearby tissues, lymph nodes, or other areas or parts of the 50
body. 51

Sec. 3902.62. (A) As used in this section, "prescription insulin drug" means a prescription drug that contains insulin and is used to treat diabetes. 52
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(B) Notwithstanding section 3901.71 of the Revised Code, no health plan issuer that provides coverage for prescription insulin drugs pursuant to the terms of a health benefit plan amended, issued, or renewed on or after the effective date of this section shall require cost sharing for a covered prescription insulin drug in an amount exceeding thirty-five dollars per thirty-day supply of the drug, regardless of the amount or type of insulin needed to fill the covered person's prescription. The cost sharing shall be charged on a per-prescription-fill basis. 55
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Sec. 3902.70. As used in this section and section 3902.71 65
of the Revised Code: 66

(A) "340B covered entity" and "third-party administrator" 67
have the same meanings as in section 5167.01 of the Revised 68
Code. 69

~~(B) "Health plan issuer" has the same meaning as in section 3922.01 of the Revised Code.~~ 70
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(C) "Terminal distributor of dangerous drugs" has the same	72
meaning as in section 4729.01 of the Revised Code.	73
Section 2. That existing sections 3902.50, 3902.60, and	74
3902.70 of the Revised Code are hereby repealed.	75