

HOUSE No. 2151

By Mr. Rodrigues of Westport, a petition (accompanied by bill, House, No. 2151) of Michael J. Rodrigues relative to prescription assistance programs providing low-cost drugs to under-insured consumers. Public Health.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Rodrigues

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to prescription assistance programs.

PETITION OF:

NAME:

Michael J. Rodrigues

DISTRICT/ADDRESS:

8th Bristol

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO PRESCRIPTION ASSISTANCE PROGRAMS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 41 of chapter 118E of the General Laws, as appearing in the 2004 Official
2 Edition, is hereby amended by inserting at the end thereof the following two paragraphs: --

3 This section shall not apply to valid pharmaceutical assistance programs sponsored by
4 manufacturers, pharmacy benefit managers, insurers, nonprofit organizations or others that offer to
5 uninsured and under-insured individuals with a valid written prescription, free, low-cost prescription
6 drugs, or co-payment assistance based on their ability to pay.

7 For purposes of the federal Health Insurance Portability and Accountability Act of 1996 and
8 regulations issued thereunder, nothing in this section shall be deemed to require or allow the use or
9 disclosure of health information in any manner that does not otherwise comply with such Act or such
10 regulations.

11 SECTION 2. Section 3 of chapter 175H of the General Laws, as appearing in the 2004 Official Edition,
12 is hereby amended by inserting at the end thereof the following two paragraphs: --

13 This section shall not apply to valid pharmaceutical assistance programs sponsored by manufacturers,
14 pharmacy benefit managers, insurers, nonprofit organizations or others that offer to uninsured and under-
15 insured individuals with a valid written prescription, free, low-cost prescription drugs, or co-payment
16 assistance based on their ability to pay.

17 For purposes of the federal Health Insurance Portability and Accountability Act of 1996 and
18 regulations issued thereunder, nothing in this section shall be deemed to require or allow the use or
19 disclosure of health information in any manner that does not otherwise comply with such Act or such
20 regulations.