HOUSE DOCKET, NO. 2113 FILED ON: 1/20/2011

HOUSE . . . . . No. 2352

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

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 adoption of the accompanying bill:

An Act relative to prescription drug coupons.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradley H. Jones, Jr.	*20th Middlesex*
Donald F. Humason, Jr.	*4th Hampden*
Randy Hunt	*5th Barnstable*
F. Jay Barrows	*1st Bristol*
Shaunna O'Connell	*3rd Bristol*
Susan Williams Gifford	*2nd Plymouth*
George T. Ross	*2nd Bristol*
Donald H. Wong	*9th Essex*
Todd M. Smola	*1st Hampden*
Kevin J. Kuros	*8th Worcester*
Ryan C. Fattman	*18th Worcester*
Sheila C. Harrington	*1st Middlesex*
Kimberly N. Ferguson	*1st Worcester*
Matthew A. Beaton	*11th Worcester*
Nicholas A. Boldyga	*3rd Hampden*
Steven L. Levy	*4th Middlesex*
David T. Vieira	*3rd Barnstable*
Bruce E. Tarr	

Paul K. Frost	*7th Worcester*
George N. Peterson, Jr.	*9th Worcester*
Bradford Hill	*4th Essex*
Elizabeth A. Poirier	*14th Bristol*
Viriato Manuel deMacedo	*1st Plymouth*

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HOUSE . . . . . No. 2352

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2352) of Bradley H. Jones, Jr. and others relative to prescription drug coupons. Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to prescription drug coupons.

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

SECTION 1. Section 3 of chapter 175H of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting at the end thereof the following two paragraphs:-

This section shall not apply to a discount, rebate, free product voucher or other reduction in out

of pocket expenses, including but not limited to co-payments and deductibles on a prescription drug, biologic or vaccine provided by a pharmaceutical manufacturing company, as defined in section 1 of chapter 111N, that is made available to an individual, if such is provided directly or electronically to the individual or through a so-called “point of sale” or “mail-in” rebate, or through similar means; provided however, that a pharmaceutical manufacturing company shall neither exclude nor favor any individual pharmacy or restricted network of pharmacies in the design of such discount, rebate, free product voucher or other expense reduction offer to an individual; provided further, that this section does not negate the need for a

14 written prescription as otherwise required by law, nor is it intended to constrain a carrier or a
15 health maintenance organization, as defined in chapter 118G, with regard to how its plan design
16 will treat

17 such discounts, rebates, free product voucher or other reduction in out of pocket
18 expenses, including but not limited to co-payments and deductibles.

19 For purposes of the Federal Health Insurance Portability and Accountability Act of 1996
20 and

21 regulations issued there under, nothing in this section shall be deemed to require or allow
22 the use or disclosure of health information in any manner that does not otherwise comply with
23 such Act or such regulations.”.