S-1271.1

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**SENATE BILL 5744**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Senators Kuderer and Keiser

AN ACT Relating to prescription coverage and the use of mail order service; and adding a new section to chapter 48.43 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  A new section is added to chapter 48.43 RCW to read as follows:

(1) Health carriers, for health plans issued or renewed on or after January 1, 2018 that include prescription drug coverage, must ensure enrollees are protected from unintentional use of or enrollment in mail order prescription drug services.

(2) The health carrier must include in any contract with a pharmacy benefit manager, as defined in RCW 19.340.010, a requirement that the pharmacy benefit manager or its agents obtain affirmative authorization, in writing or through electronic communication, from a health plan enrollee prior to filling an enrollee's prescription through a mail order prescription drug service. Each individual prescription must be authorized by the enrollee prior to using a mail order service to fill a prescription.

(3) Each mail order prescription drug shipment must include a notice to the enrollee clearly describing the actions that the enrollee can take to terminate use of the mail order service.

(4) The health plan must include information in the enrollee health plan booklet explaining the requirement to obtain the enrollee's affirmative authorization prior to filling a prescription through a mail order prescription drug service.

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