

SENATE BILL REPORT

SB 5776

As of January 4, 2024

Title: An act relating to accessing an emergency supply of insulin.

Brief Description: Accessing an emergency supply of insulin.

Sponsors: Senators Keiser, Cleveland, Randall, Van De Wege, Conway, Dhingra and Kauffman.

Brief History:

Committee Activity: Health & Long Term Care: 1/11/24.

Brief Summary of Bill

- Creates a program for eligible individuals to receive one emergency 30-day supply of insulin within a 12-month period for a maximum cost sharing amount of \$10.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Staff: Greg Attanasio (786-7410)

Background: In 2020, the Legislature directed health plans, beginning January 1, 2021, to limit an enrollee's out-of-pocket expenses for insulin to \$100 for a 30-day supply until January 1, 2023. In 2022, the Legislature amended the statute to reduce the limit on out-of-pocket expenses for a 30-day supply of insulin to \$35 until January 1, 2024, and in 2023 the Legislature removed the expiration date for the \$35 limit. Also in 2023, the federal government limited out-of-pocket expenses for a 30-day supply of insulin to \$35 for Medicare enrollees.

Summary of Bill: Beginning in 2025, individuals who meet the eligibility requirements may receive one emergency 30-day supply of insulin within a 12-month period with a maximum cost-sharing amount of \$10. To be eligible, and individual must:

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- be a resident of Washington;
- not be enrolled in Medicaid;
- not be enrolled in prescription drug coverage that limits out-of-pocket expenses for a 30-day supply of insulin to \$35 or less;
- have a valid prescription for insulin; and
- have less than a seven day supply.

The Health Care Authority (HCA) must develop an application for individuals to demonstrate their eligibility and make that application available to pharmacies and providers. Upon receipt of a completed application, a pharmacy must dispense the insulin. The pharmacy may collect a fee of up to \$10 to cover the pharmacy's cost of processing and dispensing the insulin.

Each manufacturer of insulin sold in Washington must develop a process for a pharmacy to submit an electronic claim for reimbursement for the dispensed insulin. After a pharmacy submits the claim, a manufacturer, within 30 days, must reimburse the pharmacy or send the pharmacy a replacement supply of the same insulin dispensed by the pharmacy.

HCA may assess a fine of up to \$10,000 for each failure of a manufacturer to comply with the reimbursement requirements of this act.

Appropriation: None.

Fiscal Note: Requested on January 3, 2024.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on January 1, 2025.