

By: Representative Hudson

To: Insurance

HOUSE BILL NO. 1258

1 AN ACT TO REQUIRE THE ISSUER OF ANY PHARMACY BENEFIT CARD TO
2 ANY MEMBER OF A PRESCRIPTION DRUG PROGRAM IN MISSISSIPPI TO
3 INCLUDE ON THE FACE OF THE CARD ALL OF THE INFORMATION NEEDED FOR
4 A PARTICIPATING PHARMACY TO TRANSMIT A CLAIM TO THE CLAIMS
5 PROCESSOR IN A TIMELY MANNER; TO SPECIFY THE MINIMUM INFORMATION
6 THAT MUST BE PROVIDED ON A PHARMACY BENEFIT CARD; TO PROVIDE A
7 PENALTY FOR ANY ISSUER OF A PHARMACY BENEFIT CARD THAT DOES NOT
8 CONTAIN THE REQUIRED INFORMATION; AND FOR RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 SECTION 1. (1) As used in this section:

11 (a) "Pharmacy benefit card" means the program
12 identification card of a member or participant of a prescription
13 drug program that allows the holder to obtain a prescription drug,
14 generally at a discount, from a pharmacy that participates in the
15 prescription drug program.

16 (b) "Prescription drug program" means a program or plan
17 that provides coverages and benefits for prescription drugs for
18 members or participants in the program, whether the program is a
19 separate program or part of a health benefit plan.

20 (2) The sponsor, vendor or claims processor of a
21 prescription drug program that issues the pharmacy benefit cards
22 to members or participants in the prescription drug program
23 shall not issue any pharmacy benefit card to any resident of the
24 State of Mississippi, unless the card contains all of the
25 information that is necessary for a participating pharmacy to
26 transmit a claim to the claims processor in a timely manner
27 without causing undue delay for the cardholder. The information
28 shall be displayed on the face of the card in a readily
29 retrievable manner and shall be properly identified. At a

30 minimum, the card shall contain the following information:

31 (a) The name, birth date and sex of the cardholder, and
32 the relationship of the cardholder to the member or participant in
33 the prescription drug program;

34 (b) The name of the claims processor for the
35 prescription drug program;

36 (c) The group number, if required by the program
37 sponsor or claims processor to process a claim;

38 (d) The dependent code, if required by the program
39 sponsor or claims processor to process a claim;

40 (e) A toll-free telephone number to the claims
41 processor where a pharmacy can receive timely assistance in
42 transmitting a claim to the processor; and

43 (f) Any other information that is necessary for a
44 pharmacy to transmit a claim to the claims processor in a timely
45 manner.

46 (3) Any provision in any prescription drug program or health
47 benefit plan that is executed, delivered, renewed or otherwise
48 contracted for in the State of Mississippi that is not in
49 compliance with the requirements of subsection (2) of this section
50 shall be void to the extent of the noncompliance.

51 (4) Any person who issues a pharmacy benefit card to any
52 resident of the State of Mississippi that does not contain the
53 information required by subsection (2) of this section is guilty
54 of a misdemeanor and, upon conviction, shall be fined not more
55 than One Thousand Dollars (\$1,000.00), or imprisoned for not more
56 than six (6) months in the county jail, or both.

57 SECTION 2. This act shall take effect and be in force from
58 and after July 1, 1999.