

ASSEMBLY, No. 955

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman ROBERT J. KARABINCHAK

District 18 (Middlesex)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Prohibits pharmacy benefits managers from requiring covered persons to use mail service pharmacies.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

20 2. This act shall take effect on January 1, 2021.

25 This bill prohibits pharmacy benefits managers from requiring
26 covered persons to use mail service pharmacies. Specifically, the
27 bill provides that pharmacy benefits managers, in connection with
28 any contract or arrangement with a private health insurer,
29 prescription benefit plan, or the State Health Benefits Program or
30 School Employees' Health Benefits Program, may neither require
31 covered persons to use a mail service pharmacy nor automatically
32 enroll covered persons in a mail service pharmacy program. The
33 bill provides that pharmacy benefits managers may provide benefits
34 to covered persons through mail service pharmacies, provided that
35 the covered persons are given the option to use a mail service
36 pharmacy or a non-mail service pharmacy, and the covered persons
37 consent in writing to the use of the mail service pharmacy.

It has come to the attention of the sponsor that certain pharmacy benefits managers in New Jersey automatically enroll covered persons in a mail service pharmacy program without the covered persons' consent. This bill is intended to stop these automatic enrollments and to support the right of covered persons to use a non-mail service pharmacy if they so choose.