

[First Reprint]

SENATE, No. 526

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator JOSEPH F. VITALE

District 19 (Middlesex)

Senator NELLIE POU

District 35 (Bergen and Passaic)

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Co-Sponsored by:

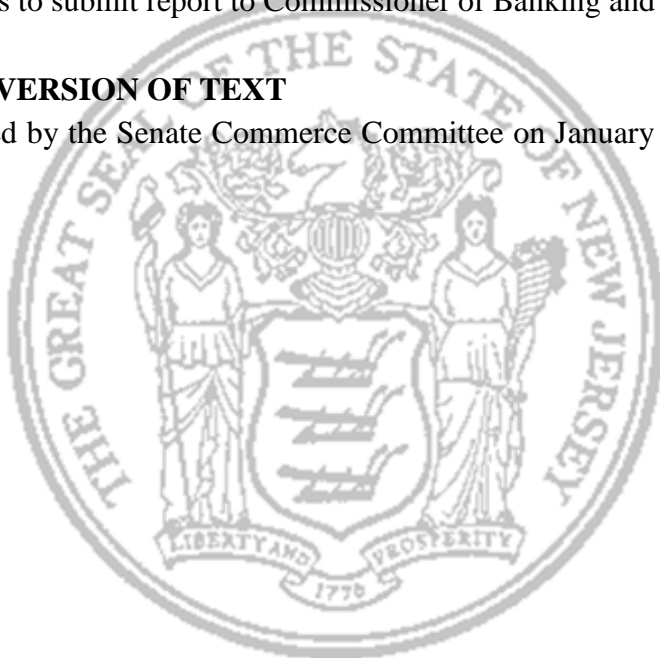
Senators Turner, Ruiz, Madden, Lagana and Gopal

SYNOPSIS

Provides that purchase of insulin is not subject to deductible; requires health insurers to limit copayments and coinsurance for insulin; requires insulin manufacturers to submit report to Commissioner of Banking and Insurance.

CURRENT VERSION OF TEXT

As reported by the Senate Commerce Committee on January 27, 2020, with amendments.



(Sponsorship Updated As Of: 4/9/2020)

1 AN ACT concerning ¹**copayments** cost sharing¹ for insulin,
2 amending P.L.1995, c.331, and supplementing various parts of
3 the statutory law.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 ¹1. (New section) The Legislature finds and declares that:

9 a. The rising cost of insulin has created an affordability crisis that
10 threatens the health and financial well-being of many diabetes patients.

11 b. Research by the non-partisan Health Care Cost Institute found
12 that prices for insulin nearly doubled over the five year period from
13 2012 to 2016 and other studies show that prices for insulin have
14 increased by 700% over the past two decades.

15 c. The lack of competition, transparency, and accountability in
16 the prescription drug market has allowed manufacturers of insulin to
17 exert extraordinary pricing power.

18 d. While insulin products have been on the market for almost a
19 century, there is limited competition from lower-cost generics, in part
20 due to aggressive efforts by brand name drug manufacturers to block
21 the entry of generic insulin products into the market.

22 e. Even consumers with health insurance may face a lack of
23 access to insulin due to the plan design of some health insurance
24 policies.

25 f. For consumers without insurance, or with insurance coverage
26 not subject to New Jersey State law, access to current and reliable cost
27 information may be helpful to consumers and researchers trying to
28 better understand the true cost of insulin.

29 g. It is, therefore, in the public interest to protect consumers by
30 mandating insurance coverage cost sharing maximums in New Jersey
31 to improve consumer access to insulin, and to provide for transparency
32 and publication of drug company pricing of insulin.¹

33
34 ¹**[1.] 2.**¹ Section 1 of P.L.1995, c.331 (C.17:48-6n) is amended
35 to read as follows:

36 1. a. Every individual or group hospital service corporation
37 contract providing hospital or medical expense benefits that is
38 delivered, issued, executed or renewed in this State pursuant to
39 P.L.1938, c.366 (C.17:48-1 et seq.) or approved for issuance or
40 renewal in this State by the Commissioner of Banking and Insurance
41 on or after the effective date of this act shall provide benefits to any
42 subscriber or other person covered thereunder for expenses incurred
43 for the following equipment and supplies for the treatment of diabetes,
44 if recommended or prescribed by a physician or nurse
45 practitioner/clinical nurse specialist: blood glucose monitors and

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SCM committee amendments adopted January 27, 2020.

1 blood glucose monitors for the legally blind; test strips for glucose
2 monitors and visual reading and urine testing strips; insulin; injection
3 aids; cartridges for the legally blind; syringes; insulin pumps and
4 appurtenances thereto; insulin infusion devices; and oral agents for
5 controlling blood sugar. ¹~~【No】~~ Coverage for the purchase of insulin
6 shall not be subject to any deductible, and no¹ copayment ¹or
7 coinsurance¹ for the purchase of insulin shall exceed ¹~~【\$100】~~ \$50¹ per
8 30 day supply.

9 b. Each individual or group hospital service corporation contract
10 shall also provide benefits for expenses incurred for diabetes self-
11 management education to ensure that a person with diabetes is
12 educated as to the proper self-management and treatment of their
13 diabetic condition, including information on proper diet. Benefits
14 provided for self-management education and education relating to diet
15 shall be limited to visits medically necessary upon the diagnosis of
16 diabetes; upon diagnosis by a physician or nurse practitioner/clinical
17 nurse specialist of a significant change in the subscriber's or other
18 covered person's symptoms or conditions which necessitate changes in
19 that person's self-management; and upon determination of a physician
20 or nurse practitioner/clinical nurse specialist that reeducation or
21 refresher education is necessary. Diabetes self-management education
22 shall be provided by a dietitian registered by a nationally recognized
23 professional association of dietitians or a health care professional
24 recognized as a Certified Diabetes Educator by the American
25 Association of Diabetes Educators or a registered pharmacist in the
26 State qualified with regard to management education for diabetes by
27 any institution recognized by the board of pharmacy of the State of
28 New Jersey.

29 c. The benefits required by this section shall be provided to the
30 same extent as for any other sickness under the contract.

31 d. This section shall apply to all hospital service corporation
32 contracts in which the hospital service corporation has reserved the
33 right to change the premium.

34 e. The provisions of this section shall not apply to a health
35 benefits plan subject to the provisions of P.L.1992, c.161 (C.17B:27A-
36 2 et seq.) or P.L.1992, c.162 (C.17B:27A-17 et seq.).

37 f. The Commissioner of Banking and Insurance may, in
38 consultation with the Commissioner of Health, pursuant to the
39 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
40 promulgate and periodically update a list of additional diabetes
41 equipment and related supplies that are medically necessary for the
42 treatment of diabetes and for which benefits shall be provided
43 according to the provisions of this section.

44 (cf: P.L.1995, c.331, s.1)

1 ~~1~~~~2.~~ 3.¹ Section 2 of P.L.1995, c.331 (C.17:48A-71) is amended
2 to read as follows:

3 2. a. Every individual or group medical service corporation
4 contract providing hospital or medical expense benefits that is
5 delivered, issued, executed or renewed in this State pursuant to
6 P.L.1940, c.74 (C.17:48A-1 et seq.) or approved for issuance or
7 renewal in this State by the Commissioner of Banking and Insurance
8 on or after the effective date of this act shall provide benefits to any
9 subscriber or other person covered thereunder for expenses incurred
10 for the following equipment and supplies for the treatment of diabetes,
11 if recommended or prescribed by a physician or nurse
12 practitioner/clinical nurse specialist: blood glucose monitors and
13 blood glucose monitors for the legally blind; test strips for glucose
14 monitors and visual reading and urine testing strips; insulin; injection
15 aids; cartridges for the legally blind; syringes; insulin pumps and
16 appurtenances thereto; insulin infusion devices; and oral agents for
17 controlling blood sugar. ~~1~~~~No~~ Coverage for the purchase of insulin
18 shall not be subject to any deductible, and no¹ copayment ¹or
19 coinsurance¹ for the purchase of insulin shall exceed ~~1~~~~\$100~~ \$50¹ per
20 30 day supply.

21 b. Each individual or group medical service corporation contract
22 shall also provide benefits for expenses incurred for diabetes self-
23 management education to ensure that a person with diabetes is
24 educated as to the proper self-management and treatment of their
25 diabetic condition, including information on proper diet. Benefits
26 provided for self-management education and education relating to diet
27 shall be limited to visits medically necessary upon the diagnosis of
28 diabetes; upon diagnosis by a physician or nurse practitioner/clinical
29 nurse specialist of a significant change in the subscriber's or other
30 covered person's symptoms or conditions which necessitate changes in
31 that person's self-management; and upon determination of a physician
32 or nurse practitioner/clinical nurse specialist that reeducation or
33 refresher education is necessary. Diabetes self-management education
34 shall be provided by a dietitian registered by a nationally recognized
35 professional association of dietitians or a health care professional
36 recognized as a Certified Diabetes Educator by the American
37 Association of Diabetes Educators or a registered pharmacist in the
38 State qualified with regard to management education for diabetes by
39 any institution recognized by the board of pharmacy of the State of
40 New Jersey.

41 c. The benefits required by this section shall be provided to the
42 same extent as for any other sickness under the contract.

43 d. This section shall apply to all medical service corporation
44 contracts in which the medical service corporation has reserved the
45 right to change the premium.

1 e. The provisions of this section shall not apply to a health
2 benefits plan subject to the provisions of P.L.1992, c.161 (C.17B:27A-
3 2 et seq.) or P.L.1992, c.162 (C.17B:27A-17 et seq.).

4 f. The Commissioner of Banking and Insurance may, in
5 consultation with the Commissioner of Health, pursuant to the
6 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
7 promulgate and periodically update a list of additional diabetes
8 equipment and related supplies that are medically necessary for the
9 treatment of diabetes and for which benefits shall be provided
10 according to the provisions of this section.

11 (cf: P.L.1995, c.331, s.2)

12

13 ¹~~3.~~ ^{4.} Section 3 of P.L.1995, c.331 (C.17:48E-35.11) is
14 amended to read as follows:

15 3. a. Every individual or group health service corporation
16 contract providing hospital or medical expense benefits that is
17 delivered, issued, executed or renewed in this State pursuant to
18 P.L.1985, c.236 (C.17:48E-1 et seq.) or approved for issuance or
19 renewal in this State by the Commissioner of Banking and Insurance
20 on or after the effective date of this act shall provide benefits to any
21 subscriber or other person covered thereunder for expenses incurred
22 for the following equipment and supplies for the treatment of diabetes,
23 if recommended or prescribed by a physician or nurse
24 practitioner/clinical nurse specialist: blood glucose monitors and
25 blood glucose monitors for the legally blind; test strips for glucose
26 monitors and visual reading and urine testing strips; insulin; injection
27 aids; cartridges for the legally blind; syringes; insulin pumps and
28 appurtenances thereto; insulin infusion devices; and oral agents for
29 controlling blood sugar. ¹~~No~~ Coverage for the purchase of insulin
30 shall not be subject to any deductible, and no¹ copayment ¹or
31 coinsurance¹ for the purchase of insulin shall exceed ¹~~\$100~~ ^{\$50} per
32 30 day supply.

33 b. Each individual or group health service corporation contract
34 shall also provide benefits for expenses incurred for diabetes self-
35 management education to ensure that a person with diabetes is
36 educated as to the proper self-management and treatment of their
37 diabetic condition, including information on proper diet. Benefits
38 provided for self-management education and education relating to diet
39 shall be limited to visits medically necessary upon the diagnosis of
40 diabetes; upon the diagnosis by a physician or nurse
41 practitioner/clinical nurse specialist of a significant change in the
42 subscriber's or other covered person's symptoms or conditions which
43 necessitate changes in that person's self-management; and upon
44 determination of a physician or nurse practitioner/clinical nurse
45 specialist that reeducation or refresher education is necessary.

1 Diabetes self-management education shall be provided by a dietitian
2 registered by a nationally recognized professional association of
3 dietitians or a health care professional recognized as a Certified
4 Diabetes Educator by the American Association of Diabetes Educators
5 or a registered pharmacist in the State qualified with regard to
6 management education for diabetes by any institution recognized by
7 the board of pharmacy of the State of New Jersey.

8 c. The benefits required by this section shall be provided to the
9 same extent as for any other sickness under the contract.

10 d. This section shall apply to all health service corporation
11 contracts in which the health service corporation has reserved the right
12 to change the premium.

13 e. The provisions of this section shall not apply to a health
14 benefits plan subject to the provisions of P.L.1992, c.161 (C.17B:27A-
15 2 et seq.) or P.L.1992, c.162 (C.17B:27A-17 et seq.).

16 f. The Commissioner of Banking and Insurance may, in
17 consultation with the Commissioner of Health, pursuant to the
18 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
19 promulgate and periodically update a list of additional diabetes
20 equipment and related supplies that are medically necessary for the
21 treatment of diabetes and for which benefits shall be provided
22 according to the provisions of this section.

23 (cf: P.L.1995, c.331, s.3)

24

25 ¹~~4.~~ ^{5.} Section 4 of P.L.1995, c.331 (C.17B:26-2.11) is
26 amended to read as follows:

27 4. a. Every individual health insurance policy providing hospital
28 or medical expense benefits that is delivered, issued, executed or
29 renewed in this State pursuant to Chapter 26 of Title 17B of the New
30 Jersey Statutes or approved for issuance or renewal in this State by the
31 Commissioner of Banking and Insurance on or after the effective date
32 of this act shall provide benefits to any person covered thereunder for
33 expenses incurred for the following equipment and supplies for the
34 treatment of diabetes, if recommended or prescribed by a physician or
35 nurse practitioner/clinical nurse specialist: blood glucose monitors and
36 blood glucose monitors for the legally blind; test strips for glucose
37 monitors and visual reading and urine testing strips; insulin; injection
38 aids; cartridges for the legally blind; syringes; insulin pumps and
39 appurtenances thereto; insulin infusion devices; and oral agents for
40 controlling blood sugar. ¹~~1.~~ Coverage for the purchase of insulin
41 shall not be subject to any deductible, and no¹ copayment ¹or
42 coinsurance¹ for the purchase of insulin shall exceed ¹~~100.~~ ⁵⁰ per
43 30 day supply.

44 b. Each individual health insurance policy shall also provide
45 benefits for expenses incurred for diabetes self-management education

1 to ensure that a person with diabetes is educated as to the proper self-
2 management and treatment of their diabetic condition, including
3 information on proper diet. Benefits provided for self-management
4 education and education relating to diet shall be limited to visits
5 medically necessary upon the diagnosis of diabetes; upon diagnosis by
6 a physician or nurse practitioner/clinical nurse specialist of a
7 significant change in the covered person's symptoms or conditions
8 which necessitate changes in that person's self-management; and upon
9 determination of a physician or nurse practitioner/clinical nurse
10 specialist that reeducation or refresher education is necessary.
11 Diabetes self-management education shall be provided by a dietitian
12 registered by a nationally recognized professional association of
13 dietitians or a health care professional recognized as a Certified
14 Diabetes Educator by the American Association of Diabetes Educators
15 or a registered pharmacist in the State qualified with regard to
16 management education for diabetes by any institution recognized by
17 the board of pharmacy of the State of New Jersey.

18 c. The benefits required by this section shall be provided to the
19 same extent as for any other sickness under the policy.

20 d. This section shall apply to all individual health insurance
21 policies in which the insurer has reserved the right to change the
22 premium.

23 e. The provisions of this section shall not apply to a health
24 benefits plan subject to the provisions of P.L.1992, c.161 (C.17B:27A-
25 2 et seq.) or P.L.1992, c.162 (C.17B:27A-17 et seq.).

26 f. The Commissioner of Banking and Insurance may, in
27 consultation with the Commissioner of Health, pursuant to the
28 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
29 promulgate and periodically update a list of additional diabetes
30 equipment and related supplies that are medically necessary for the
31 treatment of diabetes and for which benefits shall be provided
32 according to the provisions of this section.

33 (cf: P.L.1995, c.331, s.4)

34

35 **1[5.] 6.1** Section 5 of P.L.1995, c.331 (C.17B:27-46.1m) is
36 amended to read as follows:

37 5. a. Every group health insurance policy providing hospital or
38 medical expense benefits that is delivered, issued, executed or renewed
39 in this State pursuant to Chapter 27 of Title 17B of the New Jersey
40 Statutes or approved for issuance or renewal in this State by the
41 Commissioner of Banking and Insurance on or after the effective date
42 of this act shall provide benefits to any person covered thereunder for
43 expenses incurred for the following equipment and supplies for the
44 treatment of diabetes, if recommended or prescribed by a physician or
45 nurse practitioner/clinical nurse specialist: blood glucose monitors and
46 blood glucose monitors for the legally blind; test strips for glucose

1 monitors and visual reading and urine testing strips; insulin; injection
2 aids; cartridges for the legally blind; syringes; insulin pumps and
3 appurtenances thereto; insulin infusion devices; and oral agents for
4 controlling blood sugar. ¹~~【No】~~ Coverage for the purchase of insulin
5 shall not be subject to any deductible, and no¹ copayment ¹or
6 coinsurance¹ for the purchase of insulin shall exceed ¹~~【\$100】~~ \$50¹ per
7 30 day supply.

8 b. Each group health insurance policy shall also provide benefits
9 for expenses incurred for diabetes self-management education to
10 ensure that a person with diabetes is educated as to the proper self-
11 management and treatment of their diabetic condition, including
12 information on proper diet. Benefits provided for self-management
13 education and education relating to diet shall be limited to visits
14 medically necessary upon the diagnosis of diabetes; upon diagnosis by
15 a physician or nurse practitioner/clinical nurse specialist of a
16 significant change in the covered person's symptoms or conditions
17 which necessitate changes in that person's self-management; and upon
18 determination of a physician or nurse practitioner/clinical nurse
19 specialist that reeducation or refresher education is necessary.
20 Diabetes self-management education shall be provided by a dietitian
21 registered by a nationally recognized professional association of
22 dietitians or a health care professional recognized as a Certified
23 Diabetes Educator by the American Association of Diabetes Educators
24 or a registered pharmacist in the State qualified with regard to
25 management education for diabetes by any institution recognized by
26 the board of pharmacy of the State of New Jersey.

27 c. The benefits required by this section shall be provided to the
28 same extent as for any other sickness under the policy.

29 d. This section shall apply to all group health insurance policies in
30 which the insurer has reserved the right to change the premium.

31 e. The provisions of this section shall not apply to a health
32 benefits plan subject to the provisions of P.L.1992, c.161 (C.17B:27A-
33 2 et seq.) or P.L.1992, c.162 (C.17B:27A-17 et seq.).

34 f. The Commissioner of Banking and Insurance may, in
35 consultation with the Commissioner of Health, pursuant to the
36 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
37 promulgate and periodically update a list of additional diabetes
38 equipment and related supplies that are medically necessary for the
39 treatment of diabetes and for which benefits shall be provided
40 according to the provisions of this section.

41 (cf: P.L.1995, c.331, s.5)

42
43 ¹~~【6.】~~ 7.¹ Section 6 of P.L.1995, c.331 (C.26:2J-4.11) is amended
44 to read as follows:

1 6. a. Every contract for health care services that is delivered,
2 issued, executed or renewed in this State pursuant to P.L.1973, c.337
3 (C.26:2J-1 et seq.) or approved for issuance or renewal in this State on
4 or after the effective date of this act shall provide health care services
5 to any enrollee or other person covered thereunder for the following
6 equipment and supplies for the treatment of diabetes, if recommended
7 or prescribed by a participating physician or participating nurse
8 practitioner/clinical nurse specialist: blood glucose monitors and
9 blood glucose monitors for the legally blind; test strips for glucose
10 monitors and visual reading and urine testing strips; insulin; injection
11 aids; cartridges for the legally blind; syringes; insulin pumps and
12 appurtenances thereto; insulin infusion devices; and oral agents for
13 controlling blood sugar. ¹【No】 Coverage for the purchase of insulin
14 shall not be subject to any deductible, and no¹ copayment ¹or
15 coinsurance¹ for the purchase of insulin shall exceed ¹【\$100】 \$50¹ per
16 30 day supply.

17 b. Each contract shall also provide health care services for
18 diabetes self-management education to ensure that a person with
19 diabetes is educated as to the proper self-management and treatment of
20 their diabetic condition, including information on proper diet. Health
21 care services provided for self-management education and education
22 relating to diet shall be limited to visits medically necessary upon the
23 diagnosis of diabetes; upon diagnosis by a participating physician or
24 participating nurse practitioner/clinical nurse specialist of a significant
25 change in the enrollee's or other covered person's symptoms or
26 conditions which necessitate changes in that person's self-
27 management; and upon determination of a participating physician or
28 participating nurse practitioner/clinical nurse specialist that
29 reeducation or refresher education is necessary. Diabetes self-
30 management education shall be provided by a participating dietitian
31 registered by a nationally recognized professional association of
32 dietitians or a health care professional recognized as a Certified
33 Diabetes Educator by the American Association of Diabetes Educators
34 or, pursuant to section 6 of P.L.1993, c.378 (C.26:2J-4.7), a registered
35 pharmacist in the State qualified with regard to management education
36 for diabetes by any institution recognized by the board of pharmacy of
37 the State of New Jersey.

38 c. The health care services required by this section shall be
39 provided to the same extent as for any other sickness under the
40 contract.

41 d. This section shall apply to all contracts in which the health
42 maintenance organization has reserved the right to change the schedule
43 of charges.

1 e. The provisions of this section shall not apply to a health
2 benefits plan subject to the provisions of P.L.1992, c.161 (C.17B:27A-
3 2 et seq.) or P.L.1992, c.162 (C.17B:27A-17 et seq.).

4 f. The Commissioner of Banking and Insurance may, in
5 consultation with the Commissioner of Health, pursuant to the
6 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
7 promulgate and periodically update a list of additional diabetes
8 equipment and related supplies that are medically necessary for the
9 treatment of diabetes and for which benefits shall be provided
10 according to the provisions of this section.

11 (cf: P.L.1995, c.331, s.6)

12
13 ¹~~7.~~ 8.¹ (New section) An individual health benefits plan that
14 provides hospital and medical expense benefits and is delivered,
15 issued, executed or renewed in this State pursuant to P.L.1992, c.161
16 (C.17B:27A-2 et al.), on or after the effective date of P.L. ,
17 c. (C.) (pending before the Legislature as this bill), shall provide
18 coverage to any enrollee or other person covered thereunder for insulin
19 for the treatment of diabetes, if recommended or prescribed by a
20 participating physician or participating nurse practitioner/clinical nurse
21 specialist. ¹~~No~~ Coverage for the purchase of insulin shall not be
22 subject to any deductible, and no¹ copayment ¹or coinsurance¹ for the
23 purchase of insulin shall exceed ¹~~100~~ 50¹ per 30 day supply.

24 The benefits shall be provided to the same extent as for any other
25 condition under the health benefits plan.

26 This section shall apply to those health benefits plans in which the
27 carrier has reserved the right to change the premium.

28
29 ¹~~8.~~ 9.¹ (New section) A small employer health benefits plan
30 that provides hospital and medical expense benefits and is delivered,
31 issued, executed or renewed in this State pursuant to P.L.1992, c.162
32 (C.17B:27A-17 et seq.), on or after the effective date of P.L. , c.
33 (C.) (pending before the Legislature as this bill), shall provide
34 coverage to any enrollee or other person covered thereunder for insulin
35 for the treatment of diabetes, if recommended or prescribed by a
36 participating physician or participating nurse practitioner/clinical nurse
37 specialist. ¹~~No~~ Coverage for the purchase of insulin shall not be
38 subject to any deductible, and no¹ copayment ¹or coinsurance¹ for the
39 purchase of insulin shall exceed ¹~~100~~ 50¹ per 30 day supply.

40 The benefits shall be provided to the same extent as for any other
41 condition under the health benefits plan.

42 This section shall apply to those health benefits plans in which the
43 carrier has reserved the right to change the premium.

1 ~~1~~**[9.]** 10.¹ (New section) The State Health Benefits Commission
2 shall ensure that every contract purchased or renewed by the
3 commission on or after the effective date of P.L. , c. (C.)
4 (pending before the Legislature as this bill), shall provide coverage for
5 health care services to any enrollee or other person covered thereunder
6 for insulin for the treatment of diabetes, if recommended or prescribed
7 by a participating physician or participating nurse practitioner/clinical
8 nurse specialist. ~~1~~**[No]** Coverage for the purchase of insulin shall not
9 be subject to any deductible, and no¹ copayment ¹or coinsurance¹ for
10 the purchase of insulin shall exceed ~~1~~**[\$100]** \$50¹ per 30 day supply.
11

12 ~~1~~**[10.]** 11.¹ (New section) The School Employees' Health Benefits
13 Commission shall ensure that every contract purchased by the
14 commission on or after the effective date of P.L. , c. (C.)
15 (pending before the Legislature as this bill) that provides hospital and
16 medical expense benefits shall provide health care services to any
17 enrollee or other person covered thereunder for insulin for the
18 treatment of diabetes, if recommended or prescribed by a participating
19 physician or participating nurse practitioner/clinical nurse specialist.
20 ~~1~~**[No]** Coverage for the purchase of insulin shall not be subject to any
21 deductible, and no¹ copayment ¹or coinsurance¹ for the purchase of
22 insulin shall exceed ~~1~~**[\$100]** \$50¹ per 30 day supply.
23

24 ¹12. (New section) Every manufacturer of an insulin product shall
25 submit, not later than January 1, 2021, and annually thereafter, a report
26 to the Commissioner of Banking and Insurance containing the
27 following information:

- 28 a. name of the insulin products currently manufactured;
29 b. identification of whether the insulin products are brand name
30 or generic drug products;
31 c. total sales of insulin products to New Jersey consumers
32 quantified in total units and total revenue;
33 d. the effective date and amounts of any changes in the wholesale
34 acquisition cost or other list prices for insulin during the prior calendar
35 year;
36 e. aggregate, company-level research and development costs for
37 insulin over the prior calendar year;
38 f. the name of each of the manufacturer's insulin products that
39 were approved by the federal Food and Drug Administration in the
40 previous five calendar years;
41 g. the name of each of the manufacturer's insulin products that
42 lost patent exclusivity in the United States in the previous five
43 calendar years; and

1 h. a statement of rationale regarding the factor or factors that
2 caused the increase in the wholesale acquisition cost or list price
3 increase for insulin.¹
4

5 ¹**[11. This act]** 13. Sections 2 through 4, 6, and 7 of this act shall
6 take effect on the 180th day next following the date of enactment and
7 shall apply to plans issued or renewed on or after January 1 of the next
8 calendar year; sections 5, 8, and 9 shall take effect on the 270th day
9 next following the date of enactment and shall apply to plans issued or
10 renewed after January 1 of the next calendar year; sections 10 and 11¹
11 shall take effect on the 90th day next following ¹the date of¹
12 enactment ¹and shall apply to contracts purchased on or after that date;
13 and section 12 shall take place immediately¹ .