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LC02381/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2007

A N A C T

RELATING TO HUMAN SERVICES -- PHARMACEUTICALS

Introduced By: Representative Carol A. Mumford

Date Introduced: March 21, 2007

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40-8-4 of the General Laws in Chapter 40-8 entitled "Medical
2 Assistance" is hereby amended to read as follows:

3 **40-8-4. Direct vendor payment plan.** -- (a) The department shall furnish medical care
4 benefits to eligible beneficiaries through a direct vendor payment plan. The plan shall include, but
5 need not be limited to, any or all of the following benefits, which benefits shall be contracted for
6 by the director:

7 (1) Inpatient hospital services, other than services in a hospital, institution, or facility for
8 tuberculosis or mental diseases;

9 (2) Nursing services for such period of time as the director shall authorize;

10 (3) Visiting nurse service;

11 (4) Drugs for consumption either by inpatients or by other persons for whom they are
12 prescribed by a licensed physician;

13 (5) Dental services; and

14 (6) Hospice care up to a maximum of two hundred and ten (210) days as a lifetime
15 benefit.

16 (b) For purposes of this chapter, the payment of federal Medicare premiums or other
17 health insurance premiums by the department on behalf of eligible beneficiaries in accordance
18 with the provisions of Title XIX of the federal Social Security Act, 42 U.S.C. section 1396 et
19 seq., shall be deemed to be a direct vendor payment.

1 (c) With respect to medical care benefits furnished to eligible individuals under this
2 chapter or Title XIX of the federal Social Security Act, the department is authorized and directed
3 to impose:

4 (i) nominal co-payments or similar charges upon eligible individuals for non-emergency
5 services provided in a hospital emergency room; and (ii) co-payments for prescription drugs in
6 the amount of one dollar (\$1.00) for generic drug prescriptions and three dollars (\$3.00) for brand
7 name drug prescriptions in accordance with the provisions of 42 U.S.C. section 1396, et seq., ~~and~~
8 ~~the~~

9 (d) The department is authorized and directed to promulgate rules and regulations to
10 impose such co-payments or charges and to provide that, with respect to subdivision (ii) above,
11 those regulations shall be effective upon filing.

12 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HUMAN SERVICES -- PHARMACEUTICALS

1 This act would provide that the department of human services would be authorized and
2 directed to impose co-payments for prescription drugs in the amount of \$1.00 for generic drug
3 prescriptions and \$3.00 for brand name drug prescriptions as part of the medical care benefits to
4 eligible beneficiaries through the direct vendor payment plan.

5 This act would take effect upon passage.

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