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SENATE BILL NO. 428

Offered January 12, 2022

Prefiled January 11, 2022

A *BILL to amend the Code of Virginia by adding a section numbered 38.2-3407.15:7, relating to health insurance; carrier disclosure of certain information.*

Patron—Dunnavant

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

- 1. That the Code of Virginia is amended by adding a section numbered 38.2-3407.15:7 as follows:**
§ 38.2-3407.15:7. Carrier disclosure of certain prescription drug information upon request.

A. As used in this section:

"Carrier" has the same meaning as provided in § 38.2-3407.15.

"Enrollee" has the same meaning as provided in § 38.2-3407.10.

"Pharmacy benefits manager" has the same meaning as provided in § 38.2-3465.

B. Any carrier or its pharmacy benefits manager shall, upon request of an enrollee's health care provider acting on behalf of the enrollee or a third party on behalf of the health care provider, furnish the enrollee's complete eligibility benefit coverage and cost information data and shall ensure the data is (i) provided in real-time, (ii) in the same format in which the request is made or agreed to by the parties, and (iii) accurate at the time of the request. Any such request for patient specific data shall be in a format that uses established industry content and transport standards published by a standards development organization that is accredited by the American National Standards Institute or a relevant state or federal governing body.

C. A health carrier or its pharmacy benefits manager that furnishes such data shall not restrict, prohibit, penalize, or otherwise hinder a health care provider from communicating or sharing such information with the enrollee or the enrollee's authorized representative and shall not interfere with, prevent, or materially discourage access to, exchange of, or the use of this data by failing to respond to a request at the time made when such a response is reasonably possible.

INTRODUCED

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