

HOUSE BILL NO. HB0143

Prescription drugs-access and affordability.

Sponsored by: Representative(s) Barlow, Hallinan,
Henderson, Kinner, Kirkbride, Salazar and
Sweeney and Senator(s) Anselmi-Dalton,
Baldwin, Kost and Landen

A BILL

for

1 AN ACT relating to food and drugs; requiring the department
2 of health to study ways to improve access to and the
3 affordability of prescription drugs in Wyoming; specifying
4 study requirements; requiring a report; authorizing
5 rulemaking and other actions as specified; and providing
6 for an effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.**

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12 (a) Not later than October 1, 2020, the department of
13 health shall complete a study on issues that Wyoming
14 residents, state and local government agencies and health

1 care providers experience with obtaining access to
2 prescription drugs and the affordability of prescription
3 drugs in Wyoming. The study shall include consideration of:

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5 (i) Issues that Wyoming residents and state and
6 local government agencies that provide health care or
7 health insurance face in accessing affordable prescription
8 drugs;

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10 (ii) The supply chain process for prescription
11 drugs and the impact that supply chain issues and drug
12 prices have on the ability of the state to provide and
13 Wyoming residents to obtain affordable, effective
14 prescription drug treatments;

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16 (iii) Methods that health insurers and pharmacy
17 benefit managers use to manage prescription drug costs;

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19 (iv) The function and feasibility of
20 pharmaceutical manufacturer rebates and discounts used by
21 health insurers and pharmacy benefit managers to reduce
22 prescription drug costs to Wyoming residents and government
23 agencies;

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2 (v) The feasibility of establishing a wholesale
3 prescription drug program in Wyoming;

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5 (vi) The feasibility of establishing a
6 prescription drug importation program in Wyoming;

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8 (vii) The impact that decreasing prescription
9 drug pricing may have on health insurance premiums and
10 access to prescription drugs;

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12 (viii) The feasibility of other arrangements to
13 increase prescription drug access and decrease prices,
14 including direct contracts with prescription drug
15 suppliers, statewide distribution agreements with wholesale
16 or retail prescription drug providers and price agreements.

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18 (b) When conducting the study required by subsection
19 (a) of this section, the department of health shall consult
20 with all state agencies involved in the provision of health
21 care or health insurance in Wyoming, including the state
22 board of pharmacy, the department of administration and
23 information, the department of insurance, the department of

1 family services and the department of corrections. The
2 department of health shall consult with and hold public
3 meetings for interested stakeholders to contribute
4 information on the issues studied and proposals developed
5 under this section.

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7 (c) The department of health shall develop proposals
8 for actions that would increase access to and the
9 affordability of prescription drugs in Wyoming. Proposals
10 may be developed under this subsection based on the issues
11 studied under subsection (a) of this section.

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13 (d) With the governor's consent, the department of
14 health, the department of administration and information,
15 the state board of pharmacy, the department of insurance,
16 the department of family services and the department of
17 corrections may do any of the following to implement the
18 actions proposed under subsection (c) of this section:

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20 (i) Promulgate rules in accordance with the
21 Wyoming Administrative Procedure Act and with their
22 authority to promulgate rules under current law;

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1 (ii) Complete any application to the federal
2 government necessary to implement an action;

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4 (iii) Take any other action authorized by law to
5 improve access to and the affordability of prescription
6 drugs in Wyoming.

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8 (e) Not later than August 15, 2020, the department of
9 health shall report to the joint appropriations committee
10 and the joint labor, health and social services interim
11 committee on the study conducted under subsections (a) and
12 (b) of this section and on any actions proposed or
13 implemented under subsections (c) and (d) of this section.
14 The report shall also include any recommendations for
15 legislation necessary to implement any actions proposed
16 under this section.

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18 **Section 2.** The department of health, the department
19 of corrections, the department of administration and
20 information, the department of insurance, the department of
21 family services and the state board of pharmacy shall
22 promulgate rules necessary to implement any actions

1 proposed under section 1(c) of this act and approved by the
2 governor under section 1(d) of this act.

3

4 **Section 3.** This act is effective immediately upon
5 completion of all acts necessary for a bill to become law
6 as provided by Article 4, Section 8 of the Wyoming
7 Constitution.

8

9

(END)