

## Ohio Revised Code

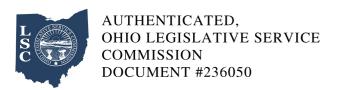
Section 3959.20 Prohibited acts regarding cost-sharing, pharmacy claims for reimbursement, fees.

Effective: October 17, 2019

Legislation: House Bill 166 - 133rd General Assembly

## (A) As used in this section:

- (1) "Cost-sharing" means the cost to an individual insured under a health benefit plan according to any coverage limit, copayment, coinsurance, deductible, or other out-of-pocket expense requirements imposed by the plan.
- (2) "Health benefit plan" and "health plan issuer" have the same meanings as in section 3922.01 of the Revised Code.
- (3) "Pharmacy audit" has the same meaning as in section 3901.81 of the Revised Code.
- (4) "Pharmacy benefit manager" and "administrator" have the same meanings as in section 3959.01 of the Revised Code.
- (B) No health plan issuer, pharmacy benefit manager, or any other administrator shall require costsharing in an amount, or direct a pharmacy to collect cost-sharing in an amount, greater than the lesser of either of the following from an individual purchasing a prescription drug:
- (1) The amount an individual would pay for the drug if the drug were to be purchased without coverage under a health benefit plan;
- (2) The net reimbursement paid to the pharmacy for the prescription drug by the health plan issuer, pharmacy benefit manager, or administrator.
- (C)(1) No health plan issuer, pharmacy benefit manager, or administrator shall retroactively adjust a pharmacy claim for reimbursement for a prescription drug unless the adjustment is the result of either of the following:



- (a) A pharmacy audit conducted in accordance with sections 3901.811 to 3901.814 of the Revised Code;
- (b) A technical billing error.
- (2) No health plan issuer, pharmacy benefit manager, or administrator shall charge a fee related to a claim unless the amount of the fee can be determined at the time of claim adjudication.
- (D) The department of insurance shall create a web form that consumers can use to submit complaints relating to violations of this section.