

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 543

By: Wilson

AS INTRODUCED

An Act relating to insurance; amending 36 O.S. 2001, Section 4511, as amended by Section 32, Chapter 307, O.S.L. 2002 (36 O.S. Supp. 2004, Section 4511), which relates to employer health care program pharmacy services; prohibiting imposition of certain fee or other condition under specified circumstances; stating exception; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 36 O.S. 2001, Section 4511, as amended by Section 32, Chapter 307, O.S.L. 2002 (36 O.S. Supp. 2004, Section 4511), is amended to read as follows:

Section 4511. A. No employer providing pharmacy services, including prescription drugs to any employee or retiree of ~~said~~ such employer, as part of a health care program, shall knowingly ~~require~~:

1. Require the employee or retiree of ~~said~~ such employer to obtain drugs from a mail order pharmacy as a condition of obtaining the employer's payment for such prescription drugs; or

2. Impose upon an employee or retiree of such employer not utilizing a mail order pharmacy designated by the employer a co-payment fee or other condition not imposed upon employees or retirees of such employer utilizing the designated mail order pharmacy.

B. The provisions of this section shall not apply to any employer who offers, as a part of a health care program, health insurance coverage to employees or retirees of the employer that provides for reimbursement of an equal portion of the cost to the employee or retiree of the employer for prescription drugs

regardless of the supplier; provided, that the health insurance plan allows the employee or retiree of the employer freedom of choice in determining where the drugs are purchased.

C. Any person violating the provisions of this section, upon conviction, shall be guilty of a misdemeanor. Each such violation shall constitute a separate offense.

SECTION 2. This act shall become effective November 1, 2005.

50-1-819 CJ 6/13/2015 8:48:53 AM