

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1712

By: Rice

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5
6 AS INTRODUCED

7 An Act relating to public health and safety;
8 directing the State Department of Health to establish
9 an Oklahoma Prescription Drug Retail Price Registry;
10 requiring the Department to obtain certain
11 information; specifying information to be included in
12 the registry; directing organization of registry;
13 directing the Department to make registry available
14 on its website specifying website requirements;
15 authorizing the Department to require pharmacies to
16 furnish certain information; permitting the
17 Department to enter into certain contract; setting
18 deadline for establishment of certain website;
19 directing the Department to make certain information
20 available to pharmacies; requiring pharmacies to
21 maintain a prescription drug retail price list;
22 specifying contents of prescription drug retail price
23 list; requiring certain notification; clarifying
24 language; directing the State Board of Health to
promulgate rules; providing for codification; and
providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1-141 of Title 63, unless there
is created a duplication in numbering, reads as follows:

A. The State Department of Health shall establish and maintain
an "Oklahoma Prescription Drug Retail Price Registry" for the

1 purpose of making retail price information for the one hundred fifty
2 most frequently prescribed prescription drugs in the state readily
3 available to consumers.

4 1. For the purpose of establishing the registry, the Department
5 shall obtain drug retail price information for these prescription
6 drugs which indicates the actual price to be paid to a pharmacy by a
7 retail purchaser for a listed drug at the listed dosage, from data
8 collected by the Department that includes the charge for the cost of
9 the medication and the dispensing fee, and does not exceed the usual
10 and customary or posted or advertised charge by the pharmacy. The
11 registry shall conform to any requirements of state or federal law
12 regarding the confidentiality and use of the information contained
13 therein;

14 2. The registry shall include the information obtained by the
15 Department pursuant to paragraph 1 of this subsection and shall be
16 updated by the Department at last monthly to reflect the most
17 current information obtained by the Department;

18 3. The registry shall be organized by the Department in a
19 format that is conducive to review and comparison by consumers of
20 prescription drug retail prices charged by pharmacies in each city
21 and zip code within the state and shall include the name and address
22 of each pharmacy.

23 B. The Department shall make available electronically on its
24 Internet website the information contained in the registry and shall

1 provide the information to consumers upon request by means of a
2 toll-free telephone service operated by the Department. The
3 information made available on the Internet website shall:

4 1. Be organized to meet the requirements of paragraph 3 of
5 subsection A of this section and be designed so that the consumer
6 may download and print the displayed information;

7 2. Include Internet web links to other governmental information
8 resources that provide information relating to the regulation of
9 prescription drugs and state and federal health care coverage and
10 pharmaceutical assistance programs;

11 3. Include an advisory statement by the Department alerting
12 consumers of the need to tell their health care provider and
13 pharmacist about all the medications they may be taking and to ask
14 them how to avoid harmful interactions between those drugs, if any;
15 and

16 4. Contain clearly understandable language that is designed to
17 assist consumers in understanding the content of, and how to access,
18 the information made available on the website pursuant to this
19 section.

20 C. The Department may require each pharmacy in the state to
21 furnish the Department such information as the Department deems
22 necessary to effectuate the provisions of this section.

23 D. The Department may contract with a public or private entity
24 for the purpose of developing, administering, and maintaining the

1 registry established pursuant to this section. The contract shall
2 specify the duties and responsibilities of the entity with respect
3 to the development, administration, and maintenance of the registry.
4 The Department shall monitor the work of the entity to ensure that
5 the registry is developed, administered, and maintained pursuant to
6 the requirements of this act.

7 E. The Department shall establish the website by January 1,
8 2009.

9 SECTION 2. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 1-142 of Title 63, unless there
11 is created a duplication in numbering, reads as follows:

12 A. The State Department of Health shall prepare at least
13 annually, and shall make available to each pharmacy in the state,
14 without charge, a list of the one hundred fifty most frequently
15 prescribed prescription drugs that includes the usual dosages
16 prescribed for each drug.

17 B. Each pharmacy in the state shall maintain a prescription
18 drug retail price list, which contains the names of the drugs on the
19 list provided by the Department pursuant to subsection A of this
20 section and the retail price for each drug on the list charged at
21 that pharmacy, including the date of the update of the retail price
22 list, and shall make the prescription drug retail price list
23 available to customers upon request.

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1 1. The prescription drug retail price list shall include an
2 advisory statement prepared by the Department alerting consumers of
3 the need to tell their health care provider and pharmacist about all
4 the medications that they may be taking and ask them how to avoid
5 harmful interactions between those drugs, if any;

6 2. The pharmacy shall post a sign that notifies customers of
7 the availability of the drug retail price list in a conspicuous
8 location that is:

- 9 a. at or adjacent to the place where prescriptions are
10 presented for compounding and dispensing,
- 11 b. in the waiting area for customers, or
- 12 c. in the area where prescribed drugs are delivered.

13 C. The provisions of this section shall not be construed to
14 prevent a pharmacy from changing or charging the current retail
15 price at any time, provided that the listed price is updated at
16 least weekly to reflect the new retail price.

17 SECTION 3. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1-143 of Title 63, unless there
19 is created a duplication in numbering, reads as follows:

20 The State Board of Health shall promulgate rules as necessary to
21 implement the provisions of this act.

22 SECTION 4. This act shall become effective November 1, 2008.

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