**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑71‑270 SO AS TO PROVIDE CERTAIN DEFINITIONS, TO PROVIDE FOR THE APPLICABILITY OF THE SECTION, AND TO LIMIT CERTAIN PRESCRIPTION DRUG COST‑SHARING OBLIGATIONS OF A HEALTH INSURANCE PLAN.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

“Section 38‑71‑270. (A) For the purposes of this section:

(1) ‘Cost‑sharing obligation’ means a copayment or coinsurance requirement under a policy or contract issued or delivered in the state by an entity subject to this chapter or a health maintenance organization.

(2) ‘Generic drug equivalent’ means an equivalent drug product as defined in Section 40‑43‑30(20) of the South Carolina Pharmacy Practice Act.

(3) ‘Health maintenance organization’ means a health maintenance organization as defined in Section 38‑33‑20(8) and subject to the provisions of Chapter 33, Title 38.

(B) A prescription benefit may not have a cost‑sharing obligation of more than one hundred dollars for a one‑month supply of a covered prescription drug for which no generic drug equivalent is available. This cost‑sharing obligation may increase to an amount greater than one hundred dollars not more than once annually, and only by an amount that does not exceed the percentage change in the medical care component of the March Consumer Price Index for Southeastern United States as provided by the United States Department of Labor, Bureau of Labor Statistics.”

SECTION 2. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑