

**H. B. 2990**

(By Delegates Stansbury, Hill, Arvon, R. Phillips and Sponaugle)

[Introduced February 24, 2015; referred to the

Committee on Health and Human Resources.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §33-15-4l, relating to requirements for insurance policies and contracts providing accident and sickness insurance or direct health care services that cover prescription eye drops.

*Be it enacted by the Legislature of West Virginia:*

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §33-15-4l, to read as follows:

**ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.**

**§33-15-4l. Eye drop prescription refills.**

Any accident and sickness insurance policy issued by an insurer pursuant to this article that covers prescription eye drops to prevent potentially blinding or debilitating eye diseases, may not deny coverage for a refill of the prescription if:

(1) The refill is requested by the insured:

- 1        (A) For a thirty day supply, between twenty-one and thirty days from the later of:  
2        (i) The original date the prescription was distributed to the insured; or  
3        (ii) The date the most recent refill was distributed to the insured; and  
4        (B) For a sixty day supply, between forty-two and sixty days from the later of:  
5        (i) The original date the prescription was distributed to the insured; or  
6        (ii) The date the most recent refill was distributed to the insured; and  
7        (C) For a ninety day supply, between sixty-three and ninety days from the later of:  
8        (i) The original date the prescription was distributed to the insured; or  
9        (ii) The date the most recent refill was distributed to the insured; and  
10       (2) The prescription eye drops prescribed by the practitioner are a covered benefit under the  
11 policy or contract of the insured; and  
12       (3) The prescribing practitioner indicates on the original prescription that additional  
13 quantities of the prescription eye drops are needed; and  
14       (4) The refill requested by the insured does not exceed the number of additional quantities  
15 needed.

NOTE: The purpose of this bill is to require refill of eye drop prescriptions within certain time frames.

§33-15-41 is new; therefore, it has been completely underscored.