

SB 711 A -A13 STAFF MEASURE SUMMARY

House Committee On Health Care

Prepared By: Brian Nieubuurt, LPRO Analyst

Meeting Dates: 5/13, 5/18

WHAT THE MEASURE DOES:

Requires Department of Consumer and Business Services (DCBS), as part of the Prescription Drug Price Transparency program, to conduct study of disparities in the cost of hormone replacement drugs between those for men and those for women. Requires report to be delivered to Legislative Assembly by September 15, 2022 and include recommendations for legislative changes, if necessary, to address disparities in the costs of hormone replacement drugs based on sex. Sunsets January 2, 2023. Takes effect on 91st day following adjournment sine die.

Senate Vote: Passed. Ayes, 17; Nays, 11 (Anderson, Boquist, Findley, Girod, Hansell, Kennemer, Knopp, Linthicum, Robinson, Thatcher, Thomsen); Excused, 2 (Frederick, Heard)

REVENUE: No revenue impact

FISCAL: Has minimal fiscal impact

ISSUES DISCUSSED:

- Gender disparities in pricing of products and services, including drugs
- Current confidentiality protections in Prescription Drug Price Transparency program

EFFECT OF AMENDMENT:

-A13 Requires DCBS to keep study information confidential if the information is submitted in accordance with the requirements of the prescription drug price transparency program, not already in the public domain, and confidential, proprietary or a trade secret.

BACKGROUND:

According to a 2019 Gallup study, the percentage of adults who reported not having had enough money in the past 12 months to "pay for needed medicine or drugs that a doctor prescribed" to them rose from 18.9 percent in January of that year to 22.9 percent in September. The study also revealed a widening gender gap of adults experiencing "medication insecurity," with a 27.5 percent among women compared to a 18.1 percent among men. In 2018, the New York Times reported that drugs used to treat women's sexual health had seen both increases in costs and reductions in insurance coverage.

Senate Bill 711 A requires the Department of Consumer and Business Services to conduct a study of the disparities in the cost of hormone replacement drugs based on sex and report the findings to the legislature by September 15, 2022.