

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 718**  
**99TH GENERAL ASSEMBLY**

4209H.05C

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 338.202 and 376.1237, RSMo, and to enact in lieu thereof two new sections relating to maintenance medication.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 338.202 and 376.1237, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 338.202 and 376.1237, to read as follows:

338.202. 1. Notwithstanding any other provision of law to the contrary, unless the  
2 prescriber has specified on the prescription that dispensing a prescription for a maintenance  
3 medication in an initial amount followed by periodic refills is medically necessary, a pharmacist  
4 may exercise his or her professional judgment to dispense varying quantities of maintenance  
5 medication per fill, up to the total number of dosage units as authorized by the prescriber on the  
6 original prescription, including any refills. Dispensing of the maintenance medication based on  
7 refills authorized by the physician or prescriber on the prescription shall be limited to no more  
8 than a ninety-day supply of the medication, and the maintenance medication shall have been  
9 previously prescribed to the patient for at least a three-month period. **The supply limitations  
10 provided in this subsection shall not apply if the prescription is issued by a practitioner  
11 located in another state according to and in compliance with the applicable laws of that  
12 state and the United States or dispensed to a patient who is a member of the United States  
13 Armed Forces serving outside the United States.**

14 2. For the purposes of this section, "maintenance medication" is and means a medication  
15 prescribed for chronic long-term conditions and that is taken on a regular, recurring basis; except  
16 that, it shall not include controlled substances, as defined in and under section 195.010.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

376.1237. 1. Each health carrier or health benefit plan that offers or issues health benefit plans which are delivered, issued for delivery, continued, or renewed in this state on or after January 1, 2014, and that provides coverage for prescription eye drops shall provide coverage for the refilling of an eye drop prescription prior to the last day of the prescribed dosage period without regard to a coverage restriction for early refill of prescription renewals as long as the prescribing health care provider authorizes such early refill, and the health carrier or the health benefit plan is notified.

2. For the purposes of this section, health carrier and health benefit plan shall have the same meaning as defined in section 376.1350.

3. The coverage required by this section shall not be subject to any greater deductible or co-payment than other similar health care services provided by the health benefit plan.

4. The provisions of this section shall not apply to a supplemental insurance policy, including a life care contract, accident-only policy, specified disease policy, hospital policy providing a fixed daily benefit only, Medicare supplement policy, long-term care policy, short-term major medical policies of six months' or less duration, or any other supplemental policy as determined by the director of the department of insurance, financial institutions and professional registration.

~~[5. The provisions of this section shall terminate on January 1, 2020.]~~

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