

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 513  
Insurance Committee Substitute Adopted 4/28/99

Short Title: Presc. Drug ID Card.

(Public)

Sponsors:

Referred to:

March 25, 1999

1 A BILL TO BE ENTITLED  
2 AN ACT TO REQUIRE HEALTH BENEFIT PLANS THAT COVER PRESCRIPTION  
3 DRUGS TO ISSUE UNIFORM PRESCRIPTION DRUG IDENTIFICATION  
4 CARDS.

5 The General Assembly of North Carolina enacts:

6 Section 1. Article 3 of Chapter 58 of the General Statutes is amended by  
7 adding the following section to read:

8 "**§ 58-3-174. Uniform prescription drug identification cards.**

9 (a) Every health benefit plan that provides coverage for prescription drugs or  
10 devices and that issues a prescription drug card, shall issue to its insureds a uniform  
11 prescription drug identification card. The uniform prescription drug identification card  
12 shall contain the information listed in subdivisions (1) through (8) of this subsection in  
13 the following order beginning at the top left margin of the card:

- 14 (1) The health benefit plan's name and /or logo.
- 15 (2) The American National Standards Institute assigned International  
16 Identification Number.
- 17 (3) The processor control number.
- 18 (4) The insured's group number.
- 19 (5) The health benefit plan's card issuer identifier.

1           (6)    The insured's identification number.

2           (7)    The insured's name.

3           (8)    The health benefit plan's policy expiration date.

4       (a1) In addition to the information required under subsection (a) the uniform  
5 prescription drug card shall contain the following information:

6           (1)    The health benefit plan's claims submission name and address.

7           (2)    The health benefit plan's help desk telephone number and name.

8       Nothing in this section shall require a health benefit plan to violate a contractual  
9 agreement, service mark agreement, or trademark agreement.

10       (b) A new uniform prescription drug identification card as required under  
11 subsection (a) of this section shall be issued annually by a health benefit plan if there has  
12 been any change in the insured's coverage in the previous twelve months. A change in  
13 the insured's coverage shall include, but is not limited to, the addition or deletion of a  
14 dependent of the insured covered by a health benefit plan.

15       (c) Not later than January 1, 2001, the uniform prescription drug identification  
16 card provided under subsection (a) of this section shall contain a magnetic strip or bar  
17 code, or both, for electronic verification.

18       (d) As used in this section 'health benefit plan' means an accident and health  
19 insurance policy or certificate; a nonprofit hospital or medical service corporation  
20 contract; a health maintenance organization subscriber contract; a plan provided by a  
21 multiple employer welfare arrangement; or a plan provided by another benefit  
22 arrangement, to the extent permitted by the Employee Retirement Income Security Act of  
23 1974, as amended, or by any waiver of or other exception to that Act provided under  
24 federal law or regulation. 'Health benefit plan' does not mean any of the following kinds  
25 of insurance:

26           (1)    Accident,

27           (2)    Credit,

28           (3)    Disability income,

29           (4)    Long-term or nursing home care,

30           (5)    Medicare supplement,

31           (6)    Specified disease,

32           (7)    Dental or vision,

33           (8)    Coverage issued as a supplement to liability insurance,

34           (9)    Workers' compensation,

35           (10) Medical payments under automobile or  
36 homeowners,

37           (11) Insurance under which benefits are payable with or without regard to  
38 fault and that is statutorily required to be contained in any liability  
39 policy or equivalent self-insurance, and

40           (12) Hospital income or indemnity.

41       (e) This section shall not apply to an entity that has its own facility and employs or  
42 contracts with physicians, pharmacists, nurses, and other health care personnel, to the  
43 extent that the entity dispenses prescription drugs or devices from its own pharmacies to

1 its employees and to enrollees of its health benefit plan. This section does not apply to a  
2 health benefit plan that issues a single identification card to its insureds for all services  
3 covered under the plan."

4           Section 2. This act is effective when it becomes law and applies to health  
5 benefit plans that are delivered, issued for delivery, or renewed on and after July 1, 2000.  
6 For purposes of this act, renewal of a health benefit policy, contract, or plan is presumed  
7 to occur on each anniversary of the date on which coverage was first effective on the  
8 person or persons covered by the health benefit plan.