

Prescription Drug Retail Price Registry

This Act directs the state division of consumer affairs to establish an online registry of retail price information for the 150 most frequently prescribed prescription drugs in the state.

Submitted as:

New Jersey

Chapter 84 of 2006

Status: Enacted into law in 2006.

Suggested State Legislation

(Title, enacting clause, etc.)

1 Section 1. [*Short Title.*] This Act shall be cited as the “Prescription Drug Retail Price
2 Registry Act.”

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4

Section 2. [*Prescription Drug Retail Price Registry.*]

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a. There is established a “Prescription Drug Retail Price Registry” in the [division of
6 consumer affairs in the department of law and public safety] for the purpose of making retail
7 price information for the [150] most frequently prescribed prescription drugs in the state readily
8 available to consumers.

9

b. For the purpose of establishing the registry, the [director of the division of consumer
10 affairs], in consultation with the [commissioners of human services and health and senior
11 services], shall obtain drug retail price information for these prescription drugs, which indicates
12 the actual price to be paid to a pharmacy by a retail purchaser for a listed drug at the listed
13 dosage, from data collected by the [division of medical assistance and health services in the
14 department of human services] that includes the charge for the cost of the medication and the
15 dispensing fee, and does not exceed the usual and customary or posted or advertised charge by the
16 pharmacy. The establishment of the registry shall be subject to any federal approval that may be
17 required to effectuate the purposes of this Act and shall conform with any requirements of state or
18 federal law regarding the confidentiality and use of the information contained therein.

19

c. The registry shall include the information obtained by the [director] for [paragraph (b)]
20 of this section, and shall be updated by the [division] at least [weekly] to reflect the most current
21 information obtained by the [director].

22

d. The registry shall be organized by the [director] in a format that is conducive to review
23 and comparison by consumers of prescription drug retail prices charged by pharmacies in each
24 zip code within the state, and shall include the name and address of each pharmacy.

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e. The [division] shall make available electronically on its Internet website in English and
26 Spanish the information contained in the registry, and shall provide the information to consumers
27 upon request by means of a toll-free telephone service operated by the [division]. The information
28 made available on the Internet website shall:

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(1) be organized to meet the requirements of this section and be designed so that
30 the consumer may download and print the displayed information;

31

(2) include Internet web links to other governmental information resources that
32 provide information relating to the regulation of prescription drugs and state and federal health
33 care coverage and pharmaceutical assistance programs;

34 (3) include an advisory statement by the [division] alerting consumers of the need
35 to tell their health care practitioner and pharmacist about all the medications they may be taking
36 and to ask them how to avoid harmful interactions between those drugs, if any; and

37 (4) contain clearly understandable language that is designed to assist consumers in
38 understanding the content of, and how to access, the information made available on the website
39 pursuant to this section.

40 f. The [director] may require each pharmacy practice site in the state to furnish to the
41 [director] such information as the [director] deems necessary to effectuate the provisions of this
42 section.

43 g. The [division] may contract with a public or private entity for the purpose of
44 developing, administering, and maintaining the registry established pursuant to this section. The
45 contract shall specify the duties and responsibilities of the entity with respect to the development,
46 administration, and maintenance of the registry. The [division] shall monitor the work of the
47 entity to ensure that the registry is developed, administered, and maintained pursuant to the
48 requirements of this Act.

49
50 Section 3. *[Annual List of [150] Most Frequently Prescribed Prescription Drugs*
51 *Distributed to Pharmacies; Drug Retail Price List Maintained by Pharmacy.]*

52 a. The [director of the division of consumer affairs] shall prepare at least [annually], and
53 shall make available to each pharmacy practice site in the state without charge, a list of the [150]
54 most frequently prescribed prescription drugs that includes the usual dosages prescribed for each
55 drug.

56 b. Each pharmacy practice site in the state shall maintain a prescription drug retail price
57 list, which contains the names of the drugs on the list provided by the [division] pursuant to
58 [subsection a.] of this section and the retail price for each drug on the list charged at that
59 pharmacy practice site, including the date of the update of the retail price list, and shall make the
60 prescription drug retail price list available to customers upon request.

61 c. The prescription drug retail price list shall include an advisory statement prepared by
62 the [division] alerting consumers of the need to tell their health care practitioner and pharmacist
63 about all the medications that they may be taking and to ask them how to avoid harmful
64 interactions between those drugs, if any.

65 d. The pharmacy practice site shall post a sign that notifies customers of the availability of
66 the drug retail price list in a conspicuous location that is at or adjacent to the place where
67 prescriptions are presented for compounding and dispensing, in the waiting area for customers, or
68 in the area where prescribed drugs are delivered.

69 e. The provisions of this section shall not be construed to prevent a pharmacy practice site
70 from changing or charging the current retail price at any time, provided that the listed price is
71 updated at least [weekly] to reflect the new retail price.

72 f. The [director of the division of consumer affairs], pursuant to the [state Administrative
73 Procedure Act], shall adopt rules and regulations to effectuate the purposes of this Act.

74
75 Section 4. *[Severability.]* [Insert severability clause.]

76
77 Section 5. *[Repealer.]* [Insert repealer clause.]

78
79 Section 6. *[Effective Date.]* [Insert effective date.]