

**HOUSE BILL NO. 328**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVES GARA, Gruenberg**

**Introduced: 5/20/03**

**Referred: Labor and Commerce, Health, Education and Social Services**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act allowing a pharmacy to advertise that the pharmacy offers a senior**  
2 **prescription drug discount plan under certain conditions."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 08.80 is amended by adding a new section to read:

5 **Article 4A. Miscellaneous Provisions.**

6 **Sec. 08.80.462. Senior prescription drug discount plan.** (a) A pharmacy  
7 may participate in the Alaska senior prescription drug discount plan, or in a successor  
8 plan if a new name is selected under (c) of this section.

9 (b) In order to advertise that the pharmacy is part of the plan, a pharmacy,  
10 upon presentation of a valid prescription for a prescribed drug covered under  
11 AS 47.07.030(b) and the patient's Medicare card, may not charge a Medicare patient a  
12 price for the prescribed drug that exceeds the drug reimbursement rate set under  
13 AS 47.07.065 for the medical assistance program.

14 (c) The board shall request from the public the submission of a name to give

1 to the plan referred to in this section. The board shall select from among the  
2 submissions a name that the board considers the best for purposes of helping  
3 pharmacists to advertise that they are part of the plan. If the board does not consider  
4 any of the submissions to be better suited to that purpose, then the name of the plan  
5 shall remain the Alaska senior prescription drug discount plan.

6 (d) The board shall request nonprofit organizations that are interested in issues  
7 concerning senior citizens to submit proposals for a logo design for the plan. A  
8 submission made to the board under this subsection may not require a payment by the  
9 state for the right to let pharmacists use the design for the plan, and the design, upon  
10 submission, becomes the property of the state.

11 (e) A pharmacy that participates in the plan may sell a prescription drug at a  
12 price that is lower than the drug reimbursement rate set under AS 47.07.065.

13 (f) In this section, "plan" means the Alaska senior prescription drug discount  
14 plan referred to in this section or its successor plan if a new name is selected under (c)  
15 of this section.