

[Corrected Copy]

**ASSEMBLY, No. 2656**

**STATE OF NEW JERSEY**  
**212th LEGISLATURE**

INTRODUCED FEBRUARY 23, 2006

**Sponsored by:**

**Assemblyman PATRICK J. DIEGNAN, JR.**

**District 18 (Middlesex)**

**Assemblyman PETER J. BARNES, JR.**

**District 18 (Middlesex)**

**Assemblyman GORDON M. JOHNSON**

**District 37 (Bergen)**

**Assemblyman BRIAN P. STACK**

**District 33 (Hudson)**

**Co-Sponsored by:**

**Assemblywoman Stender, Assemblymen Chivukula, Manzo and Gordon**

**SYNOPSIS**

Establishes New Jersey Prescription Drug Retail Price Registry in DHSS; requires pharmacies to compile drug retail price lists.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/16/2006)**

1 AN ACT establishing the "New Jersey Prescription Drug Retail  
2 Price Registry" and supplementing Titles 26 and 45 of the  
3 Revised Statutes.

4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*

7

8 1. a. There is established the "New Jersey Prescription Drug  
9 Retail Price Registry" in the Department of Health and Senior  
10 Services for the purpose of making retail price information for the  
11 150 most frequently prescribed prescription drugs in the State  
12 readily available to consumers. The registry shall include  
13 information from drug retail price lists reported to the  
14 commissioner by pharmacies pursuant to section 2 of P.L. , c.  
15 (C. )(pending before the Legislature as this bill), and shall be  
16 organized by the commissioner in a format that is conducive to  
17 review and comparison by consumers of prescription drug retail  
18 prices charged by pharmacies within the various geographic regions  
19 of the State.

20 b. The Commissioner of Health and Senior Services shall make  
21 available electronically on its Internet website in English and  
22 Spanish the information contained in the registry, and shall make  
23 copies of the information available to consumers upon request by  
24 means of a toll-free telephone service operated by the department.

25 c. The Commissioner of Health and Senior Services, pursuant to  
26 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
27 seq.) and in consultation with the New Jersey State Board of  
28 Pharmacy, shall adopt rules and regulations to effectuate the  
29 purposes of this section.

30

31 2. a. The New Jersey State Board of Pharmacy shall prepare at  
32 least annually, and shall make available in both printed and  
33 electronic form to each pharmacy practice site in the State without  
34 charge, a list of the 150 most frequently prescribed prescription  
35 drugs that includes the usual dosages prescribed for each drug.

36 b. Each pharmacy practice site in the State shall compile a drug  
37 retail price list, which contains the names of the drugs on the list  
38 provided by the board pursuant to subsection a. of this section and  
39 the retail price for each drug on the list charged at that pharmacy  
40 practice site, and shall make the drug retail price list available to  
41 customers upon request.

42 (1) The drug retail price list shall include a notice that states as  
43 follows: "Consult your pharmacist for the selection of the most  
44 economical drug product available to fill your prescription."

45 (2) The pharmacy practice site shall post a sign that notifies  
46 customers of the availability of the drug retail price list in a  
47 conspicuous location that is: at or adjacent to the place where  
48 prescriptions are presented for compounding and dispensing; in the

1 waiting area for customers; or in the area where prescribed drugs  
2 are delivered.

3 (3) The pharmacy practice site shall report to the Commissioner  
4 of Health and Senior Services, on a form and in a manner and  
5 according to a schedule established by the commissioner, the  
6 information included in its drug retail price list. The pharmacy  
7 practice site shall update the information that it reports to the  
8 commissioner at least weekly.

9 c. The provisions of this section shall not be construed to  
10 prevent a pharmacy practice site from changing or charging the  
11 current retail price at any time, provided that the listed price is  
12 updated at least weekly to reflect the new retail price.

13 d. As used in this section, "retail price" means the actual price to  
14 be paid by a retail purchaser to a pharmacy for a drug on the retail  
15 price list at the listed dosage.

16 e. The New Jersey State Board of Pharmacy, pursuant to the  
17 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et  
18 seq.) and in consultation with the Commissioner of Health and  
19 Senior Services, shall adopt rules and regulations to effectuate the  
20 purposes of this section.

21

22 3. This act shall take effect on the 180th day after enactment,  
23 but the Commissioner of Health and Senior Services and the New  
24 Jersey State Board of Pharmacy may take such anticipatory  
25 administrative action in advance as shall be necessary for the  
26 implementation of the act.

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#### STATEMENT

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31 This bill establishes the "New Jersey Prescription Drug Retail  
32 Price Registry" in the Department of Health and Senior Services  
33 (DHSS) for the purpose of making retail price information for the  
34 150 most frequently prescribed prescription drugs readily available  
35 to New Jersey consumers.

36 The bill provides as follows:

- 37 • The registry is to include information from drug retail price  
38 lists reported to the commissioner by pharmacies pursuant to  
39 the bill, and is to be organized by the Commissioner of  
40 Health and Senior Services in a format that is conducive to  
41 review and comparison by consumers of retail prescription  
42 drug prices charged by pharmacies within the various  
43 geographic regions of the State.
- 44 • The commissioner is to: make available electronically on  
45 the DHSS Internet website, in English and Spanish, the  
46 information contained in the registry, and make copies of the  
47 information available to consumers upon request by means  
48 of a toll-free telephone service operated by DHSS.

- 1 • The State Board of Pharmacy is to prepare at least annually,  
2 and to make available in both printed and electronic form to  
3 each pharmacy practice site in the State without charge, a  
4 list of the 150 most frequently prescribed prescription drugs  
5 that includes the usual dosages prescribed for each drug.
- 6 • Each pharmacy practice site in the State is to compile a drug  
7 retail price list, which contains the names of the drugs on the  
8 list provided by the State Board of Pharmacy and the retail  
9 price for each drug on the list charged at that pharmacy  
10 practice site, and to make the drug retail price list available  
11 to customers upon request.
- 12 • The drug retail price list is to include a notice that states as  
13 follows: "Consult your pharmacist for the selection of the  
14 most economical drug product available to fill your  
15 prescription."
- 16 • The pharmacy practice site is to post a sign that notifies  
17 customers of the availability of the drug retail price list in a  
18 conspicuous location that is: at or adjacent to the place  
19 where prescriptions are presented for compounding and  
20 dispensing; in the waiting area for customers; or in the area  
21 where prescribed drugs are delivered.
- 22 • The pharmacy practice site is to report to the Commissioner  
23 of Health and Senior Services, on a form and in a manner  
24 and according to a schedule established by the  
25 commissioner, the information included in its drug retail  
26 price list. The pharmacy practice site is to update the  
27 information that it reports to the commissioner at least  
28 weekly.
- 29 • The provisions of the bill are not to be construed to prevent a  
30 pharmacy practice site from changing or charging the current  
31 retail price at any time, provided that the listed price is  
32 updated at least weekly to reflect the new retail price.
- 33 • As used in the bill, "retail price" means the actual price to be  
34 paid by a retail purchaser to a pharmacy for a drug on the  
35 retail price list at the listed dosage.
- 36 • The bill takes effect on the 180th day after enactment, but  
37 authorizes the Commissioner of Health and Senior Services  
38 and the State Board of Pharmacy to take anticipatory  
39 administrative action in advance as necessary for its  
40 implementation.