



Prescription Drug Out-of-Pocket Costs 9th Edition

		Deductible Protection		Per Rx Protection		Standardized Plan Designs	Separate Annual Rx Limit	Ban on Copay Accumulator Adjustment Programs	Total Number of Protections	Overall Grade	Subset of State-Regulated Plans Rx Protections Apply (Not Graded, For Informational Purposes Only)	Statutes		
No Rx Deductible	Separate Rx Deductible	Cost-Sharing Cap	Fixed Copays											
Alabama	AL	-	-	-	-	Yes	-	-	1	C	-			
Alaska	AK	-	-	-	-	Yes	-	-	1	C	-			
Arizona	AZ	-	-	-	-	Yes	-	Yes	2	B	-	HB 2166 (2019)		
Arkansas	AR	-	-	-	-	Yes	-	Yes	2	B	-	HB 1569 (2021)		
American Samoa	AS	-	-	-	-	-	-	-	-	*	-			
California	CA	-	Yes	Yes - a \$250/\$500 per drug cap per month, post-deductible	-	Yes	-	-	3	A	Entire state-regulated market	AB 339 (2015)		
Colorado	CO	Yes - for at least 25% of plans	-	Yes - copay cannot be higher than 1/12th of the annual maximum out of pocket for a single drug	"Yes - no fewer than 25% of the plans offered for each metal level (Platinum, Gold, Silver and Bronze) must contain a copayment-only payment structure for all drug tiers"	Yes	-	Yes	5	A	Partial subset of state-regulated market	Bulletin B4.82 and Final Rule 4-2-58 (2015)	4-2-58 Final Rule (2022)	SB 23-195 (2023)
Connecticut	CT	-	Yes	Yes - cost sharing amount shall not exceed 50% of plan benefits	-	Yes	-	Yes	4	A	Entire state-regulated market	Bulletin HC-124 (2018)	SB 1003 (2021)	Access Health CT
Delaware	DE	-	-	Yes - \$150 cap per prescription drug, post deductible	-	Yes	-	Yes	3	A	Entire state-regulated market	SB 35 (2013)	SB 267 (2022)	
District of Columbia	DC	-	Yes	Yes - \$150 cost sharing limit per speciality drug, post-deductible	-	Yes	-	Yes	4	A	Entire state-regulated market	B21-0032 (2017)	DC Standard Plans 2024	B25-0141 (2023)
Florida	FL	-	-	-	-	Yes	-	-	1	C	-			
Georgia	GA	-	-	-	-	Yes	-	Yes	2	B	-	SB 313 (2020)		
Guam	GU	-	-	-	-	-	-	-	-	*	-			
Hawaii	HI	-	-	-	-	Yes	-	-	1	C	-			
Idaho	ID	-	-	-	-	-	-	-	0	F	-			
Illinois	IL	-	-	-	Yes - flat dollar copayment structure to the entire drug benefit, pre-deductible	Yes	-	Yes	3	A	Partial subset of state-regulated market	PA 101-452 (2019)	HB 1745 (2021)	
Indiana	IN	-	-	-	-	Yes	-	-	1	C	-			
Iowa	IA	-	-	-	-	Yes	-	-	1	C	-			
Kansas	KS	-	-	-	-	Yes	-	-	1	C	-			
Kentucky	KY	-	-	-	-	-	-	Yes	1	C	-	SB 45 (2021)		
Louisiana	LA	-	-	Yes - \$150 cap per prescription drug per month, post-deductible	-	Yes	-	Yes	3	A	Entire state-regulated market	SB 165 (2014)	SB 94 (2021)	
Maine	ME	-	-	-	-	Yes	\$3,500	Yes	3	A	Entire state-regulated market	Maine Insurance Code		
Maryland	MD	-	-	Yes - \$150 cap per prescription per month, post deductible	-	-	-	-	1	C	Entire state-regulated market	HB 761 (2014)		
Massachusetts	MA	-	Yes	-	Yes	Yes	-	-	3	A	Entire state-regulated market	MA Health Connector		
Michigan	MI	-	-	-	-	Yes	-	-	1	C	-			
Minnesota	MN	-	-	Yes - copay cannot be higher than 1/12th of the annual maximum out of pocket for an individual	Subset of individual and small group health plan offers to include pre-deductible flat copayment on prescription drugs	-	-	-	2	B	One gold and one silver plan per insurance company per rating area, in the individual and small group markets	SF 365 (2022)	SF 3472 (2022)	
Mississippi	MS	-	-	-	-	Yes	-	-	1	C	-			
Missouri	MO	-	-	-	-	Yes	-	-	1	C	-			
Montana	MT	Yes	-	-	Yes - each insurer is required to offer at least one plan with pharmacy benefits that are fixed dollar copayments	Yes	-	-	3	A	Entire state-regulated market	SB 335		
Nebraska	NE	-	-	-	-	Yes	-	-	1	C	-			
Nevada	NV	-	-	-	-	-	-	-	0	F	-			
New Hampshire	NH	-	-	-	-	Yes	-	-	1	C	-			
New Jersey	NJ	-	Yes - limited to \$250 for formulary and \$250 for non formulary drugs	Yes - \$150/\$250 cap per prescription per month, pre-deductible cap for 25% of plans	-	Yes	-	-	3	A	Partial subset of state-regulated market	A 2431 (2020)	NJ Insurance Code	
New Mexico	NM	-	-	-	-	Yes	-	Yes	2	B	Entire state-regulated market	HB 100 (2020)	SB 51 (2023)	
New York	NY	-	-	Yes - no speciality tiers allowed	Yes - the standard benefit design limits copayments per tier and metal level	Yes	-	Yes	4	A	Entire state-regulated market	S.5000 (2010)	S.1350 (2023)	
North Carolina	NC	-	-	-	-	Yes	-	Yes	2	B	-	SB 257 (2021)		
North Dakota	ND	-	-	-	-	Yes	-	-	1	C	-			



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Northern Mariana Islands	MP	-	-	-	-	-	-	-	-	*	-		
Ohio	OH	-	-	-	-	Yes	-	-	1	C	-		
Oklahoma	OK	-	-	-	-	Yes	-	Yes	2	B	-	SB 92/HB 2678	
Oregon	OR	-	-	-	-	Yes	-	-	1	C	Entire state-regulated market		
Pennsylvania	PA	-	-	-	-	-	-	-	0	F	-		
Puerto Rico	PR	-	-	-	-	-	-	Yes	1	*	-		
Rhode Island	RI	**	-	-	**	-	-	-	0	F	-	S0871 (2023)	
South Carolina	SC	-	-	-	-	Yes	-	-	1	C	-		
South Dakota	SD	-	-	-	-	Yes	-	-	1	C	-		
Tennessee	TN	-	-	-	-	Yes	-	Yes	2	B	-	HB 619/SB 1367	
Texas	TX	-	-	-	-	Yes	-	Yes	2	B	-	HB 999 (2023)	
Utah	UT	-	-	-	-	Yes	-	-	1	C	-		
Vermont	VT	-	Yes	-	-	Yes	Yes	-	3	A	Entire state-regulated market	H.559 (2012)	
Virginia	VA	-	-	-	-	Yes	-	Yes	2	B	-	H 2515 (2019)	
Virgin Islands	VI	-	-	-	-	-	-	-	-	*	-		
Washington	WA	-	-	-	-	Yes	-	Yes	2	B	Entire state-regulated market	SB 5526 (2019)	SB 5310 (2022)
West Virginia	WV	-	-	-	-	Yes	-	Yes	2	B	-	HB 2770 (2019)	
Wisconsin	WI	-	-	-	-	Yes	-	-	1	C	-		
Wyoming	WY	-	-	-	-	Yes	-	-	1	C	-		

*For information purposes only, no grades for US territories

** Effective January 1, 2025

Sources:

[NASHP 2023 State Legislative Action to Lower Pharmaceutical Costs](#)

[KFF State Health Insurance Marketplace Types, 2024](#)

[NCSL Prescription Drug Legislation Database](#)