



General Assembly

January Session, 2013

Committee Bill No. 5484

LCO No. 4385



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

***AN ACT CONCERNING HEALTH INSURANCE COVERAGE AND
ABUSE-DETERRENT PRESCRIPTION MEDICATIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 38a-492i of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective January 1, 2014*):

3 (a) Each individual health insurance policy providing coverage of
4 the type specified in subdivisions (1), (2), (4), (10), (11) and (12) of
5 section 38a-469 delivered, issued for delivery, renewed, amended or
6 continued in this state shall provide access to a pain management
7 specialist and coverage for pain treatment ordered by such specialist
8 that may include all means medically necessary to make a diagnosis
9 and develop a treatment plan including the use of necessary
10 medications and procedures.

11 (b) (1) No such policy that provides coverage for prescription drugs
12 shall require an insured to use, prior to using a brand name
13 prescription drug prescribed by a licensed physician for pain
14 treatment, any alternative brand name prescription drugs or over-the-
15 counter drugs.

16 (2) Such policy may require an insured to use, prior to using a brand
17 name prescription drug prescribed by a licensed physician for pain
18 treatment, a therapeutically equivalent generic drug, unless: (A) The
19 brand name prescription drug contains United States Food and Drug
20 Administration approved abuse-deterrent labeling, and (B) the
21 therapeutically equivalent generic drug does not contain such labeling.

22 (c) As used in this section, "pain" means a sensation in which a
23 person experiences severe discomfort, distress or suffering due to
24 provocation of sensory nerves, and "pain management specialist"
25 means a physician who is credentialed by the American Academy of
26 Pain Management or who is a board-certified anesthesiologist,
27 physiatrist, neurologist, oncologist or radiation oncologist with
28 additional training in pain management.

29 Sec. 2. Section 38a-518i of the general statutes is repealed and the
30 following is substituted in lieu thereof (*Effective January 1, 2014*):

31 (a) Each group health insurance policy providing coverage of the
32 type specified in subdivisions (1), (2), (4), (10), (11) and (12) of section
33 38a-469 delivered, issued for delivery, renewed, amended or continued
34 in this state shall provide access to a pain management specialist and
35 coverage for pain treatment ordered by such specialist that may
36 include all means medically necessary to make a diagnosis and
37 develop a treatment plan including the use of necessary medications
38 and procedures.

39 (b) (1) No such policy that provides coverage for prescription drugs
40 shall require an insured to use, prior to using a brand name
41 prescription drug prescribed by a licensed physician for pain
42 treatment, any alternative brand name prescription drugs or over-the-
43 counter drugs.

44 (2) Such policy may require an insured to use, prior to using a brand
45 name prescription drug prescribed by a licensed physician for pain
46 treatment, a therapeutically equivalent generic drug, unless: (A) The

47 brand name prescription drug contains United States Food and Drug
48 Administration approved abuse-deterrent labeling, and (B) the
49 therapeutically equivalent generic drug does not contain such labeling.

50 (c) As used in this section, "pain" means a sensation in which a
51 person experiences severe discomfort, distress or suffering due to
52 provocation of sensory nerves, and "pain management specialist"
53 means a physician who is credentialed by the American Academy of
54 Pain Management or who is a board-certified anesthesiologist,
55 physiatrist, neurologist, oncologist or radiation oncologist with
56 additional training in pain management.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2014	38a-492i
Sec. 2	January 1, 2014	38a-518i

GL *Joint Favorable*