



General Assembly

Amendment

February Session, 2014

LCO No. 4878

SB0018604878HRO

Offered by:
REP. SAMPSON, 80th Dist.

To: Senate Bill No. 186

File No. 58

Cal. No. 416

(As Amended by Senate Amendment Schedule "A")

**"AN ACT CONCERNING DISPENSATION AND INSURANCE
COVERAGE OF A PRESCRIBED DRUG DURING REVIEW OF AN
ADVERSE DETERMINATION OR A FINAL ADVERSE
DETERMINATION."**

1 Strike subparagraph (C) of subdivision (1) of subsection (b) of
2 section 1 in its entirety and insert the following in lieu thereof:

3 "(C) (i) If the review under subparagraph (A) of this subdivision is a
4 review of a grievance involving a prospective review request relating
5 to the dispensation of a drug, other than a schedule II or III controlled
6 substance, prescribed by a licensed participating provider, the health
7 carrier shall issue immediate electronic authorization to the covered
8 person's pharmacy for the dispensation of a one-time fourteen-day
9 supply of such drug. Such authorization shall include confirmation of
10 the availability of payment for such supply of such drug. The
11 provisions of this subparagraph shall not apply to a grievance or
12 review of an adverse determination under this section concerning the

13 substitution of a generic drug or another brand name drug for a
14 prescribed brand name drug unless the prescribing licensed
15 participating provider has specified that there shall be no substitution
16 for the specified brand name drug.

17 (ii) No such dispensation of a prescribed drug shall be authorized
18 more than once per prescribed drug per policy year for a covered
19 person."

20 Strike subdivision (4) of subsection (c) of section 2 in its entirety and
21 insert the following in lieu thereof:

22 "(4) (A) If the review under subdivision (1) of this subsection is a
23 review of a grievance involving an adverse determination of a
24 prospective review request relating to the dispensation of a drug, other
25 than a schedule II or III controlled substance, prescribed by a licensed
26 participating provider, the health carrier shall issue immediate
27 electronic authorization to the covered person's pharmacy for the
28 dispensation of a one-time fourteen-day supply of such drug. Such
29 authorization shall include confirmation of the availability of payment
30 for such supply of such drug. The provisions of this subdivision shall
31 not apply to a grievance or review of an adverse determination under
32 this section concerning the substitution of a generic drug or another
33 brand name drug for a prescribed brand name drug unless the
34 prescribing licensed participating provider has specified that there
35 shall be no substitution for the specified brand name drug.

36 (B) No such dispensation of a prescribed drug shall be authorized
37 more than once per prescribed drug per policy year for a covered
38 person."