

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 14-158**—sHB 5439  
*Human Services Committee*

**AN ACT CONCERNING BRAND NAME DRUG PRESCRIPTIONS FOR  
STATE MEDICAL ASSISTANCE RECIPIENTS**

**SUMMARY:** This act makes it easier, in certain circumstances, for a medical practitioner to order a brand-name drug prescription for a medical assistance recipient. It does so by eliminating a requirement that the practitioner submit a hand-written prescription to a pharmacist stating “brand medically necessary” when he or she electronically submits a prescription for a medical assistance recipient specifying that there can be no substitution for the brand-name drug prescribed. The act instead requires the prescriber to select the code on the certified electronic prescription that indicates a substitution is not allowed.

The law, unchanged by the act, still requires practitioners to include the phrase “brand medically necessary” on all written brand-name drug prescriptions for medical assistance recipients, including those the practitioner submits to the pharmacy to certify an order he or she placed by telephone.

Additionally, the act changes the law to reflect current Department of Social Services (DSS) practice by replacing references to “Medicaid” recipient with “medical assistance” recipient. DSS administers medical assistance through Medicaid and HUSKY B (the State Children’s Health Insurance Program, or SCHIP), and, in practice, the laws that apply to Medicaid recipients in Connecticut also apply to those receiving HUSKY B. The term “medical assistance” encompasses all such programs DSS administers.

The act also makes minor and technical changes.

EFFECTIVE DATE: July 1, 2014

**BACKGROUND**

*Related Act*

PA 14-224 (1) removes provisions pertaining to Medicaid prescriptions from the Department of Consumer Protection statutes and (2) makes similar changes as this act to the procedure all prescribers must follow to order brand-name drugs electronically.

OLR Tracking: KMD:LH:PF:ro/am