



**Substitute House Bill No. 6770**

**Public Act No. 15-165**

**AN ACT CONCERNING MEDICAID COVERAGE FOR OVER-THE-COUNTER DRUGS AND PRODUCTS AND REQUIREMENTS FOR MEDICAID BENEFIT CARDS AND NOTICE OF REGULATIONS.**

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

Section 1. Section 17b-280a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

[Notwithstanding any provision of the general statutes, no] No payment shall be made under a medical assistance program administered by the Department of Social Services for over-the-counter [drugs] medications, except for (1) the medical assistance program established pursuant to section 17b-256, (2) insulin and insulin syringes, (3) nutritional supplements for individuals who are required to be tube fed or who cannot safely ingest nutrition in any other form, and as may be required by federal law, (4) [effective January 1, 2012,] smoking cessation [drugs] medications as provided in section 17b-278a, (5) over-the-counter medications and products determined by the Commissioner of Social Services to be appropriate for coverage based on their clinical efficacy, safety and cost effectiveness, and [(5)] (6) over-the-counter [drugs] medications that are required to be covered pursuant to 42 CFR 440.347, including [drugs] medications for individuals with specified diagnoses that have a rating of "A" or "B" in

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the current recommendations of the United States Preventive Services Task Force, provided the Department of Social Services may also pay for such over-the-counter [drugs] medications under a medical assistance program or portion thereof that is not subject to 42 CFR 440.347. [On or before August 1, 2011, the Commissioner of Social Services shall provide notice to pharmacists who provide services to beneficiaries of a medical assistance program administered by the department that such pharmacists may bill the department for supplies utilized in the treatment of diabetes using the durable medical equipment, medical surgical supply fee schedule. The commissioner shall provide a copy of such notice to the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies.]

Sec. 2. Section 17b-10a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2015*):

The Commissioner of Social Services, pursuant to section 17b-10, may implement policies and procedures necessary to administer section 17b-197, subsection (d) of section 17b-266, section 17b-280a, as amended by this act, and subsection (a) of section 17b-295, while in the process of adopting such policies and procedures as regulation, provided the commissioner prints notice of intent to adopt regulations [in the Connecticut Law Journal] on the department's Internet web site and the eRegulations System not later than twenty days after the date of implementation. Policies and procedures implemented pursuant to this section shall be valid until the time final regulations are adopted.

Sec. 3. Section 17b-261t of the general statutes is repealed. (*Effective from passage*)

Approved July 2, 2015