



General Assembly

**Amendment**

January Session, 2015

LCO No. 6902



Offered by:  
SEN. CRISCO, 17<sup>th</sup> Dist.

To: Senate Bill No. 21

File No. 426

Cal. No. 267

**"AN ACT REQUIRING THE INSURANCE COMMISSIONER TO  
STUDY OPIOID ANALGESICS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective January 1, 2016*) (a) As used in this  
4 section, (1) "opioid analgesic" means a drug product that contains an  
5 opioid antagonist and is approved by the federal Food and Drug  
6 Administration for the treatment of pain, whether in immediate release  
7 or extended release form, and whether or not combined with other  
8 drug products to form a single drug product or dosage, and (2) "abuse-  
9 deterrent opioid analgesic" means an opioid analgesic with labeling  
10 that indicates such drug is expected to result in a reduction in the  
11 abuse of, or to deter the use of, such drug due to the drug's abuse-  
12 deterrent properties.

13 (b) Each insurance company, health care center, hospital service  
14 corporation, medical service corporation, fraternal benefit society or

15 other entity that delivers, issues for delivery, renews, amends or  
16 continues any individual health insurance policy providing coverage  
17 of the type specified in subdivisions (1), (2), (4), (11), (12) and (16) of  
18 section 38a-469 of the general statutes and that provides coverage for  
19 prescription drugs shall provide coverage for abuse-deterrent opioid  
20 analgesics.

21 (c) No such company, center, corporation, society or other entity  
22 shall:

23 (1) Impose a coinsurance, copayment, deductible or other out-of-  
24 pocket expense for a name brand abuse-deterrent opioid analgesic that  
25 exceeds the lowest cost-sharing level applied to name brand  
26 prescription drugs covered by such policy;

27 (2) Impose a coinsurance, copayment, deductible or other out-of-  
28 pocket expense for a generic abuse-deterrent opioid analgesic that  
29 exceeds the lowest cost-sharing level applied to generic prescription  
30 drugs covered by such policy;

31 (3) Reclassify or limit coverage for opioid analgesics, increase the  
32 coinsurance, copayment, deductible or other out-of-pocket expense  
33 imposed for opioid analgesics or impose disincentives on health care  
34 providers or pharmacists, to achieve compliance with this subsection;  
35 or

36 (4) Notwithstanding subdivision (2) of subsection (a) and  
37 subdivision (1) of subsection (b) of section 38a-510 of the general  
38 statutes, require an insured to use a non-abuse-deterrent opioid  
39 analgesic prior to using an abuse-deterrent opioid analgesic.

40 (d) Such company, center, corporation, society or other entity may  
41 require an insured to receive prior authorization for an abuse-deterrent  
42 opioid analgesic, provided similar prior authorization is required for a  
43 non-abuse-deterrent opioid analgesic.

44 Sec. 2. (NEW) (*Effective January 1, 2016*) (a) As used in this section,  
45 (1) "opioid analgesic" means a drug product that contains an opioid  
46 antagonist and is approved by the federal Food and Drug  
47 Administration for the treatment of pain, whether in immediate release  
48 or extended release form, and whether or not combined with other  
49 drug products to form a single drug product or dosage, and (2) "abuse-  
50 deterrent opioid analgesic" means an opioid analgesic with labeling  
51 that indicates such drug is expected to result in a reduction in the  
52 abuse of, or to deter the use of, such drug due to the drug's abuse-  
53 deterrent properties.

54 (b) Each insurance company, health care center, hospital service  
55 corporation, medical service corporation, fraternal benefit society or  
56 other entity that delivers, issues for delivery, renews, amends or  
57 continues any group health insurance policy providing coverage of the  
58 type specified in subdivisions (1), (2), (4), (11), (12) and (16) of section  
59 38a-469 of the general statutes and that provides coverage for  
60 prescription drugs shall provide coverage for abuse-deterrent opioid  
61 analgesics.

62 (c) No such company, center, corporation, society or other entity  
63 shall:

64 (1) Impose a coinsurance, copayment, deductible or other out-of-  
65 pocket expense for a name brand abuse-deterrent opioid analgesic that  
66 exceeds the lowest cost-sharing level applied to name brand  
67 prescription drugs covered by such policy;

68 (2) Impose a coinsurance, copayment, deductible or other out-of-  
69 pocket expense for a generic abuse-deterrent opioid analgesic that  
70 exceeds the lowest cost-sharing level applied to generic prescription  
71 drugs covered by such policy;

72 (3) Reclassify or limit coverage for opioid analgesics, increase the  
73 coinsurance, copayment, deductible or other out-of-pocket expense  
74 imposed for opioid analgesics or impose disincentives on health care

75 providers or pharmacists, to achieve compliance with this subsection;  
76 or

77 (4) Notwithstanding subdivision (2) of subsection (a) and  
78 subdivision (1) of subsection (b) of section 38a-544 of the general  
79 statutes, require an insured to use a non-abuse-deterrent opioid  
80 analgesic prior to using an abuse-deterrent opioid analgesic.

81 (d) Such company, center, corporation, society or other entity may  
82 require an insured to receive prior authorization for an abuse-deterrent  
83 opioid analgesic, provided similar prior authorization is required for a  
84 non-abuse-deterrent opioid analgesic."

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2016	New section
Sec. 2	January 1, 2016	New section