



General Assembly

**Amendment**

February Session, 2016

LCO No. 5858



Offered by:

REP. SAMPSON, 80<sup>th</sup> Dist.

REP. SCOTT, 40<sup>th</sup> Dist.

To: Senate Bill No. 34

File No. 83

Cal. No. 451

**"AN ACT CONCERNING DISPENSATION AND COVERAGE OF A PRESCRIBED DRUG FOR A CHRONIC DISEASE DURING CERTAIN ADVERSE DETERMINATION REVIEWS, AND DECREASING THE TIME FRAMES FOR URGENT CARE ADVERSE DETERMINATION REVIEW REQUESTS."**

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) Notwithstanding subparagraph (B) of this subdivision, there  
18 shall be a copayment imposed by such health carrier for such fourteen-  
19 day supply of such drug, which shall be the same copayment imposed  
20 by such health carrier for a thirty-day supply of such drug."

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

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

37 (B) Notwithstanding subdivision (3) of this subsection, there shall be  
38 a copayment imposed by such health carrier for such fourteen-day  
39 supply of such drug, which shall be the same copayment imposed by  
40 such health carrier for a thirty-day supply of such drug."