



General Assembly

February Session, 2020

Raised Bill No. 5250

LCO No. 956



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
(INS)

***AN ACT PROHIBITING REQUIREMENTS FOR PRESCRIBING
CLINICALLY INAPPROPRIATE QUANTITIES OF OUTPATIENT
PSYCHOTROPIC DRUGS.***

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

1 Section 1. (NEW) (*Effective January 1, 2021*) Notwithstanding any
2 provision of the general statutes, no individual health insurance policy
3 providing coverage of the type specified in subdivisions (1), (2), (4), (11),
4 (12) and (16) of section 38a-469 of the general statutes delivered, issued
5 for delivery, renewed, amended or continued in this state on or after
6 January 1, 2021, that provides coverage for outpatient prescription
7 drugs shall require a prescribing health care provider to prescribe an
8 outpatient psychotropic drug in a quantity that such provider deems
9 clinically inappropriate.

10 Sec. 2. (NEW) (*Effective January 1, 2021*) Notwithstanding any
11 provision of the general statutes, no group health insurance policy
12 providing coverage of the type specified in subdivisions (1), (2), (4), (11),
13 (12) and (16) of section 38a-469 of the general statutes delivered, issued
14 for delivery, renewed, amended or continued in this state on or after

15 January 1, 2021, that provides coverage for outpatient prescription
16 drugs shall require a prescribing health care provider to prescribe an
17 outpatient psychotropic drug in a quantity that such provider deems
18 clinically inappropriate.

19 Sec. 3. Section 38a-476b of the general statutes is repealed and the
20 following is substituted in lieu thereof (*Effective January 1, 2021*):

21 Notwithstanding any provision of the general statutes or the
22 regulations of Connecticut state agencies, no mental health care benefit
23 provided under state law, or with state funds or to state employees may,
24 through the use of a drug formulary, list of covered drugs or any other
25 means: (1) Limit the availability of psychotropic drugs that are the most
26 effective therapeutically indicated pharmaceutical treatment with the
27 least probability of adverse side effects; [or] (2) require utilization of
28 psychotropic drugs that are not the most effective therapeutically
29 indicated pharmaceutical treatment with the least probability of adverse
30 side effects; or (3) require a prescribing health care provider to prescribe
31 an outpatient psychotropic drug in a quantity that such provider deems
32 clinically inappropriate. Nothing in this section shall be construed to
33 limit the authority of a physician to prescribe a drug that is not the most
34 recent pharmaceutical treatment. Nothing in this section shall be
35 construed to prohibit differential copays among pharmaceutical
36 treatments or to prohibit utilization review.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2021</i>	New section
Sec. 2	<i>January 1, 2021</i>	New section
Sec. 3	<i>January 1, 2021</i>	38a-476b

Statement of Purpose:

To prohibit health insurance policies providing coverage for outpatient prescription drugs, and mental health care benefits provided under state law, with state funds or to state employees, from requiring a prescribing health care provider to prescribe an outpatient psychotropic drug in a quantity that such provider deems clinically inappropriate.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]