



General Assembly

February Session, 2020

Raised Bill No. 320

LCO No. 2006



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
(INS)

AN ACT PROHIBITING HEALTH CARRIERS FROM REQUIRING THE USE OF STEP THERAPY FOR DRUGS PRESCRIBED TO TREAT DISABLING, CHRONIC OR LIFE-THREATENING DISEASES OR CONDITIONS.

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

1 Section 1. Subsection (a) of section 38a-510 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective January*
3 *1, 2021*):

4 (a) No insurance company, hospital service corporation, medical
5 service corporation, health care center or other entity delivering, issuing
6 for delivery, renewing, amending or continuing an individual health
7 insurance policy or contract that provides coverage for prescription
8 drugs may:

9 (1) Require any person covered under such policy or contract to
10 obtain prescription drugs from a mail order pharmacy as a condition of
11 obtaining benefits for such drugs; or

12 (2) Require, if such insurance company, hospital service corporation,

13 medical service corporation, health care center or other entity uses step
14 therapy for such drugs, the use of step therapy for:

15 (A) [any] Any prescribed drug for longer than sixty days; [,] or

16 (B) [a] A prescribed drug for [cancer] treatment of a disabling, chronic
17 or life-threatening disease or condition for an insured who has been
18 diagnosed with [stage IV metastatic cancer] such a disease or condition,
19 provided such prescribed drug is in compliance with approved federal
20 Food and Drug Administration indications.

21 (3) At the expiration of the time period specified in subparagraph (A)
22 of subdivision (2) of this subsection, [or for a prescribed drug described
23 in subparagraph (B) of subdivision (2) of this subsection,] an insured's
24 treating health care provider may deem such step therapy drug regimen
25 clinically ineffective for the insured, at which time the insurance
26 company, hospital service corporation, medical service corporation,
27 health care center or other entity shall authorize dispensation of and
28 coverage for the drug prescribed by the insured's treating health care
29 provider, provided such drug is a covered drug under such policy or
30 contract. If such provider does not deem such step therapy drug
31 regimen clinically ineffective or has not requested an override pursuant
32 to subdivision (1) of subsection (b) of this section, such drug regimen
33 may be continued. For purposes of this section, "step therapy" means a
34 protocol or program that establishes the specific sequence in which
35 prescription drugs for a specified medical condition are to be prescribed.

36 Sec. 2. Subsection (a) of section 38a-544 of the general statutes is
37 repealed and the following is substituted in lieu thereof (*Effective January*
38 *1, 2021*):

39 (a) No insurance company, hospital service corporation, medical
40 service corporation, health care center or other entity delivering, issuing
41 for delivery, renewing, amending or continuing a group health
42 insurance policy or contract that provides coverage for prescription
43 drugs may:

44 (1) Require any person covered under such policy or contract to
45 obtain prescription drugs from a mail order pharmacy as a condition of
46 obtaining benefits for such drugs; or

47 (2) Require, if such insurance company, hospital service corporation,
48 medical service corporation, health care center or other entity uses step
49 therapy for such drugs, the use of step therapy for:

50 (A) [any] Any prescribed drug for longer than sixty days; [L] or

51 (B) [a] A prescribed drug for [cancer] treatment of a disabling, chronic
52 or life-threatening disease or condition for an insured who has been
53 diagnosed with [stage IV metastatic cancer] such a disease or condition,
54 provided such prescribed drug is in compliance with approved federal
55 Food and Drug Administration indications.

56 (3) At the expiration of the time period specified in subparagraph (A)
57 of subdivision (2) of this subsection, [or for a prescribed drug described
58 in subparagraph (B) of subdivision (2) of this subsection,] an insured's
59 treating health care provider may deem such step therapy drug regimen
60 clinically ineffective for the insured, at which time the insurance
61 company, hospital service corporation, medical service corporation,
62 health care center or other entity shall authorize dispensation of and
63 coverage for the drug prescribed by the insured's treating health care
64 provider, provided such drug is a covered drug under such policy or
65 contract. If such provider does not deem such step therapy drug
66 regimen clinically ineffective or has not requested an override pursuant
67 to subdivision (1) of subsection (b) of this section, such drug regimen
68 may be continued. For purposes of this section, "step therapy" means a
69 protocol or program that establishes the specific sequence in which
70 prescription drugs for a specified medical condition are to be prescribed.

This act shall take effect as follows and shall amend the following sections:

Section 1	January 1, 2021	38a-510(a)
Sec. 2	January 1, 2021	38a-544(a)

Statement of Purpose:

To prohibit health carriers from requiring the use of step therapy for drugs prescribed to treat disabling, chronic or life-threatening diseases or conditions.

[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.]