

**Proposed Substitute
Bill No. 5250**

LCO No. 2606

**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 is greater than the
9 quantity that such provider deems clinically appropriate.

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 is greater than the
18 quantity that such provider deems clinically appropriate.

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 Section 38a-476b of the general statutes is repealed and the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 is greater than the
32 quantity that such provider deems clinically appropriate. Nothing in
33 this section shall be construed to limit the authority of a physician to
34 prescribe a drug that is not the most recent pharmaceutical treatment.
35 Nothing in this section shall be construed to prohibit differential copays
36 among pharmaceutical 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