

At the request of George Okulitch

**PROPOSED AMENDMENTS TO  
SENATE BILL 272**

1 On page 5 of the printed bill, line 32, after the second comma insert “and  
2 through a toll-free telephone number.”.

3 Delete lines 35 through 41 and insert:

4 “(B) Notice of any change to the prescription drug formulary, such as  
5 changes to drug strength or form, no later than 14 days after the effective  
6 date of the change.

7 “(C) The cost of the coinsurance, if any, paid by an enrollee for each drug  
8 on the prescription drug formulary, expressed as one of the following dollar  
9 ranges:”.

10 On page 6, line 2, delete “(E)” and insert “(D)”.

11 Delete lines 4 through 9 and insert:

12 “(b) May not, during a plan year:

13 “(A) Remove a prescription drug from a prescription drug formulary, ex-  
14 cept in response to an alert issued by the United States Food and Drug Ad-  
15 ministration;

16 “(B) Increase the deductible, copayment, coinsurance or other cost shar-  
17 ing applicable to a prescription drug unless an A-rated generic for the pre-  
18 scription drug is added to a formulary before the increase becomes effective;  
19 or

20 “(C) Impose new utilization controls on a prescription drug, including but  
21 not limited to prior authorization or step therapy.

1 “(18) Subsection (17) of this section does not prohibit a carrier, during a  
2 plan year, from:

3 “(a) Adding to a prescription drug formulary a prescription drug newly  
4 approved by the United States Food and Drug Administration;

5 “(b) Reducing a deductible, copayment, coinsurance or other cost-sharing  
6 applicable to a prescription drug; or

7 “(c) Eliminating one or more utilization controls applicable to a pre-  
8 scription drug.

9 “(19) The department may adopt by rule requirements for the display of  
10 information de-”.

11 On page 8, line 30, after the second comma insert “and through a toll-free  
12 telephone number,”.

13 Delete lines 33 through 39 and insert:

14 “(B) Notice of any change to the prescription drug formulary, such as  
15 changes to drug strength or form, no later than 14 days after the effective  
16 date of the change.

17 “(C) The cost of the coinsurance, if any, paid by an enrollee for each drug  
18 on the prescription drug formulary, expressed as one of the following dollar  
19 ranges:”.

20 In line 45, delete “(E)” and insert “(D)”.

21 On page 9, delete lines 2 through 7 and insert:

22 “(b) May not, during a plan year:

23 “(A) Remove a prescription drug from a prescription drug formulary, ex-  
24 cept in response to an alert issued by the United States Food and Drug Ad-  
25 ministration;

26 “(B) Increase the deductible, copayment, coinsurance or other cost shar-  
27 ing applicable to a prescription drug unless an A-rated generic for the pre-  
28 scription drug is added to a formulary before the increase becomes effective;  
29 or

30 “(C) Impose new utilization controls on a prescription drug, including but

1 not limited to prior authorization or step therapy.

2 “(11) Subsection (10) of this section does not prohibit a carrier, during a  
3 plan year, from:

4 “(a) Adding to a prescription drug formulary a prescription drug newly  
5 approved by the United States Food and Drug Administration;

6 “(b) Reducing a deductible, copayment, coinsurance or other cost-sharing  
7 applicable to a prescription drug; or

8 “(c) Eliminating one or more utilization controls applicable to a pre-  
9 scription drug.

10 “(12) The department may adopt by rule requirements for the display of  
11 information de-”.

12 On page 11, line 17, after the second comma insert “and through a toll-  
13 free telephone number,”.

14 Delete lines 20 through 26 and insert:

15 “(B) Notice of any change to the prescription drug formulary, such as  
16 changes to drug strength or form, no later than 14 days after the effective  
17 date of the change.

18 “(C) The cost of the coinsurance, if any, paid by an enrollee for each drug  
19 on the prescription drug formulary, expressed as one of the following dollar  
20 ranges:”.

21 In line 32, delete “(E)” and insert “(D)”.

22 Delete lines 34 through 39 and insert:

23 “(b) May not, during a plan year:

24 “(A) Remove a prescription drug from a prescription drug formulary, ex-  
25 cept in response to an alert issued by the United States Food and Drug Ad-  
26 ministration;

27 “(B) Increase the deductible, copayment, coinsurance or other cost shar-  
28 ing applicable to a prescription drug unless an A-rated generic for the pre-  
29 scription drug is added to a formulary before the increase becomes effective;

30 or

1       “(C) Impose new utilization controls on a prescription drug, including but  
2 not limited to prior authorization or step therapy.

3       “(12) Subsection (11) of this section does not prohibit a carrier, during a  
4 plan year, from:

5       “(a) Adding to a prescription drug formulary a prescription drug newly  
6 approved by the United States Food and Drug Administration;

7       “(b) Reducing a deductible, copayment, coinsurance or other cost-sharing  
8 applicable to a prescription drug; or

9       “(c) Eliminating one or more utilization controls applicable to a pre-  
10 scription drug.

11       “(13) The department may adopt by rule requirements for the display of  
12 information de-”.

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