

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1558

5 By: Representative Pilkington
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE PRIOR AUTHORIZATION TRANSPARENCY
9 ACT; TO MODIFY MEDICATION-ASSISTED TREATMENT UNDER
10 THE PRIOR AUTHORIZATION TRANSPARENCY ACT; AND FOR
11 OTHER PURPOSES.
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Subtitle

14 TO AMEND THE PRIOR AUTHORIZATION
15 TRANSPARENCY ACT; AND TO MODIFY THE
16 MEDICATION-ASSISTED TREATMENT UNDER THE
17 PRIOR AUTHORIZATION TRANSPARENCY ACT.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 23-99-1119 is amended to read as follows:
24 23-99-1119. Medication-assisted treatment for opioid addiction.

25 (a) ~~Except in the case of injectables, a~~ A healthcare insurer,
26 including Medicaid, shall not:

27 (1) Require prior authorization in order for a patient to obtain
28 coverage of buprenorphine, naloxone, naltrexone, methadone, and their various
29 formulations and combinations approved by the United States Food and Drug
30 Administration for the treatment or detoxification of opioid and alcohol
31 addiction; or

32 (2) Impose any other requirement other than a valid prescription
33 and compliance with the medication-assisted treatment guidelines issued by
34 the United States Substance Abuse and Mental Health Services Administration
35 under the United States Department of Health and Human Services in order for
36 a patient to obtain coverage for buprenorphine, naloxone, naltrexone,



1 methadone, and their various formulations and combinations approved by the
 2 United States Food and Drug Administration for the treatment or
 3 detoxification of opioid and alcohol addiction.

4 (b) Subdivision (a)(1) of this section shall only apply to the
 5 Arkansas Medicaid Program as it pertains to prescription drugs for treatment
 6 or detoxification of opioid and alcohol addiction designated as preferred on
 7 the evidence-based preferred drug list, provided there is at least one (1) of
 8 each of the drugs listed in subdivision (a)(1) of this section with the
 9 preferred designation on the preferred drug list or available without prior
 10 authorization.

11 (c) If a new formulation or medication approved by the United States
 12 Food and Drug Administration for use as a prescription for medication-
 13 assisted treatment becomes available after April 12, 2019, and is either more
 14 expensive or has not been shown to be more effective than the formulations
 15 and medications in subsection (a) of this section, then the healthcare
 16 insurer may require prior authorization of the new formulation or medication.

17 (d) A healthcare insurer utilizing a tiered drug formulary shall place
 18 on the lowest-cost benefit tier at least one (1) product for each of the
 19 following medications that is approved by the United States Food and Drug
 20 Administration:

- 21 (1) Buprenorphine;
- 22 (2) Naloxone;
- 23 (3) Naltrexone;
- 24 (4) Methadone; and
- 25 (5) A product containing both buprenorphine and naloxone.

26 (e) For purposes of any limit a healthcare insurer imposes on the
 27 number of prescriptions for a patient, a prescription for medication-assisted
 28 treatment shall not be counted.

29 (f) This section does not affect the responsibility of a healthcare
 30 provider to comply with the standard of care for medication-assisted
 31 treatment, including without limitation the use of therapy in combination
 32 with medication.

33 ~~(g) The Arkansas Medicaid Program shall have until January 1, 2020, to~~
 34 ~~comply with this section.~~

35 **APPROVED: 4/4/23**