Stricken language would be deleted from and underlined language would be added to present law. Act 1260 of the Regular Session

| 1        | State of Arkansas   | As Engrossed:     | <sup>s3/27/13</sup> s4/5/13<br>A Bill |                 |  |
|----------|---|-------------------|---------------------------------------|-----------------|--|
| 2        | 89th General Assembly   |                   |                                       |                 |  |
| 3        | Regular Session, 2013   |                   |                                       | SENATE BILL 916 |  |
| 4        |   |                   |                                       |                 |  |
| 5        | By: Senators J. Woods, E. Cheatham, J. Dismang, J. English, S. Flowers, J. Hutchinson, D. Wyatt |                   |                                       |                 |  |
| 6        | By: Representatives Harris, Baine, Gillam, Neal   |                   |                                       |                 |  |
| 7<br>8   |   | For An Act        | To Be Entitled                        |                 |  |
| 9        | AN ACT TO ENSURE THAT VULNERABLE CITIZENS RECEIVE   |                   |                                       |                 |  |
| 9<br>10  | MEDICATIONS NECESSARY FOR THE TREATMENT OF LIFE-  |                   |                                       |                 |  |
|          | ALTERING ILLNESS AND FOR SUSTAINING A PRODUCTIVE  |                   |                                       |                 |  |
| 11       | QUALITY OF LIFE; TO CREATE THE CONTINUITY OF CARE ACT   |                   |                                       |                 |  |
| 12       | OF 2013; AND FOR OTHER PURPOSES.  |                   |                                       |                 |  |
| 13<br>14 | OF 2013;  | AND FOR OTHER POL | KPU5E5.                               |                 |  |
| 14       |   |                   |                                       |                 |  |
| 16       | Subtitle  |                   |                                       |                 |  |
| 17       | TO ENSURE THAT VULNERABLE CITIZENS  |                   |                                       |                 |  |
| 18       | RECEIVE MEDICATIONS FOR LIFE-ALTERING   |                   |                                       |                 |  |
| 19       | ILLNESS; AND TO CREATE THE CONTINUITY OF  |                   |                                       |                 |  |
| 20       | CARE ACT OF 2013.   |                   |                                       |                 |  |
| 21       |   |                   |                                       |                 |  |
| 22       |   |                   |                                       |                 |  |
| 23       | BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:                                 |                   |                                       |                 |  |
| 24       |   |                   |                                       |                 |  |
| 25       | SECTION 1. Ar   | kansas Code Title | 23, Chapter 79, Subc.                 | hapter l, is    |  |
| 26       | amended to add an additional section to read as follows:  |                   |                                       |                 |  |
| 27       | 23-79-156. Notification of drug formulary changes.  |                   |                                       |                 |  |
| 28       | (a)(1) A health benefit plan that provides prescription drug coverage                           |                   |                                       |                 |  |
| 29       | or contracts with a third party for prescription drug services with tiered                      |                   |                                       |                 |  |
| 30       | copayments shall notify an enrollee presently taking a prescription drug, in                    |                   |                                       |                 |  |
| 31       | writing or electronically at the request of the enrollee, at least sixty (60)                   |                   |                                       |                 |  |
| 32       | days before an increase in the enrollees' financial responsibility as a                         |                   |                                       |                 |  |
| 33       | result of a modification by the health benefit plan to the health benefit                       |                   |                                       |                 |  |
| 34       | plan's drug formulary.  |                   |                                       |                 |  |
| 35       | (2) Subdivision (a)(1) of this section does not apply to a                                      |                   |                                       |                 |  |
| 36       | generic substitution for a prescription drug.   |                   |                                       |                 |  |



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| 1        | (b) This section does not apply to coverage for a drug that is             |
|----------|--|
| 2        | determined by a pharmacy and a therapeutics committee to be subject to new |
| 3        | safety warnings.   |
| 4        |  |
| 5        | SECTION 2. Effective date. Section 1 of this act is effective on and       |
| 6        | after January 1, 2014.   |
| 7        |  |
| 8        | /s/J. Woods  |
| 9        |  |
| 10       |  |
| 11       | APPROVED: 04/16/2013   |
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