

ARKANSAS SENATE
91st General Assembly - Regular Session, 2017
Amendment Form

Subtitle of Senate Bill No. 665

TO CLARIFY CERTAIN PROVISIONS OF THE PRIOR AUTHORIZATION TRANSPARENCY ACT; AND TO
DECLARE AN EMERGENCY.

Amendment No. 2 to Senate Bill No. 665

Amend Senate Bill No. 665 as engrossed, S3/16/17 (version: 03/16/2017 04:01:50 PM):

Page 10, line 1, delete "twelve (12) months" and substitute "ninety (90) days"

AND

Page 11, delete line 22, and substitute the following:
"by a physician in the same specialty as the physician making the request, by a physician in another appropriate specialty, or by a pharmacologist."

AND

Page 15, delete lines 17 and 18, and substitute the following:
"the healthcare insurer or utilization review entity shall provide the new pharmacy benefits manager with adequate"

AND

Page 15, line 20, delete "therapy; or" and substitute "therapy."

AND

Page 15, delete lines 21 through 24

AND

Page 15, delete lines 26 and 27, and substitute the following:
"review entity may require the utilization of step therapy if:"

AND

Page 15, delete lines 29 and 30, and substitute the following:
"condition or an existing therapy is considered clinically appropriate for



treatment of the patient's condition; or"

AND

Page 15, delete lines 34 through 36

AND

Page 16, delete line 1

AND

Page 16, line 15, delete "address,"

AND

Page 16, delete line 16, and substitute the following:

"physician responsible for making the adverse determination, and, in the event that the physician responsible for making the adverse decision is not available, a telephone number where a peer-to-peer contact with another physician regarding the adverse determination can be made;"

AND

Page 18, delete lines 29 and 30, and substitute the following:

"SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that healthcare insurers and utilization review entities are denying medically necessary healthcare services; that by changing the prior authorization procedure to prevent the denial of medically necessary healthcare services by healthcare insurers and utilization review entities, Arkansas consumers will receive proper healthcare; and that unless this act becomes effective on August 1, 2017, utilization review entities and healthcare insurers will not know the specific effective date by which changes in computer systems must be made so that patients will not face the likelihood of going without potentially life-saving healthcare treatment or their providers will not be forced to provide treatment without compensation. Therefore, an emergency is declared to exist, and this act being necessary for the preservation of the public peace, health, and safety shall become effective on August 1, 2017."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Irvin

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Secretary