Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	As Engrossed: S3/19/09		
2	87th General Assembly	A Bill		
3	Regular Session, 2009		SENATE BILL	944
4				
5	By: Senator Elliott			
6				
7				
8		For An Act To Be Entitled		
9	AN ACT TO REQUIRE THAT CERTAIN DRUGS BE MADE			
10	AVAILABLE TO ARKANSANS WITHOUT RESTRICTION WHEN			
11	THE DRUGS HAVE BEEN APPROVED AND RECOMMENDED BY			
12	THE DE	PARTMENT OF HUMAN SERVICES; AND FOR OTHE	₽R	
13	PURPOSI	ES.		
14				
15		Subtitle		
16	TO 1	REQUIRE THAT CERTAIN DRUGS BE MADE		
17	AVA	ILABLE TO ARKANSANS WITHOUT		
18	REST	TRICTION WHEN THE DRUGS HAVE BEEN		
19	APPI	ROVED AND RECOMMENDED BY THE		
20	DEPA	ARTMENT OF HUMAN SERVICES.		
21				
22				
23	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:			
24				
25	SECTION 1. Fir	ndings.		
26	The General Ass	sembly finds that:		
27	<u>(1) Astl</u>	nma diagnosis and treatment continue to	increase in	
28	<u>Arkansas as well as r</u>	nationwide;		
29	<u>(2) Astl</u>	nma has become increasingly problematic	in the Arkansa	<u> 15</u>
30	Medicaid population,	especially among children;		
31	<u>(3) Arka</u>	nsas Medicaid has seen steady increases	in the use of	<u>-</u>
32	emergency medicines to treat asthma, reflecting poor asthma control;			
33	<u>(4) In A</u>	rkansas, controller medications are use	<u>d at a level</u>	
34	below the national average;			
35	<u>(5) Medi</u>	cation restrictions imposed on the Medi	caid populatio	<u>)11</u>
36	in Arkansas exceed th	ne restrictions in every other state:		

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As Engrossed: S3/19/09 SB944

1	(6) The Department of Human Services has failed to produce
2	outcome data following the implementation of asthma medication restrictive
3	policies imposed in 2006; and
4	(7) Because of the medication restrictions imposed by the state
5	Medicaid program, controller medications are not available to the Medicaid
6	population at the same or similar levels as they are to privately insured
7	individuals.
8	
9	SECTION 2. Medicaid coverage for asthma medications.
10	For a period of one (1) year after the effective date of this act, all
11	medications used to treat asthma shall be available without restriction to
12	Medicaid patients eighteen (18) years of age and younger with a prescription
13	from a qualified medical provider.
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15	/s/ Elliott
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