

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Health & Human Services.

SB23-195 be amended as follows:

1 Amend proposed committee amendment (SB195_L.005), page 1, strike
2 lines 1 through 4 and substitute:

3 "Amend printed bill, page 4, line 1, strike "**definition. (1)**" and substitute
4 "**definitions - rules. (1) (a)**".

5 Page 4 of the bill, line 6, strike "PERSON." and substitute "PERSON FOR A
6 PRESCRIPTION DRUG IF:

7 (I) THE PRESCRIPTION DRUG DOES NOT HAVE A GENERIC
8 EQUIVALENT; OR

9 (II) THE PRESCRIPTION DRUG HAS A GENERIC EQUIVALENT, AND
10 THE COVERED PERSON IS USING THE BRAND-NAME PRESCRIPTION DRUG
11 AFTER:

12 (A) OBTAINING PRIOR AUTHORIZATION FROM THE CARRIER OR
13 PHARMACY BENEFIT MANAGER;

14 (B) COMPLYING WITH A STEP-THERAPY PROTOCOL REQUIRED BY
15 THE CARRIER OR PHARMACY BENEFIT MANAGER; OR

16 (C) RECEIVING APPROVAL FROM THE CARRIER OR PHARMACY
17 BENEFIT MANAGER THROUGH THE CARRIER'S OR PHARMACY BENEFIT
18 MANAGER'S EXCEPTIONS, APPEAL, OR REVIEW PROCESS.

19 (b) IF A COVERED PERSON IS ENROLLED IN OR PARTICIPATING IN".

20 Amend printed bill, page 4, after line 17 insert:

21 "(3) THE COMMISSIONER MAY ADOPT RULES AS NECESSARY TO
22 IMPLEMENT THIS SECTION."

23 Renumber succeeding subsection accordingly.

24 Page 4 of the bill, lines 22 and 23, strike "A SPECIFIC HEALTH-CARE
25 SERVICE, INCLUDING".

26 Page 4 of the bill, line 23, strike "OR DEVICE,".

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