

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1308

5 By: Representative Allen
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For An Act To Be Entitled

8 AN ACT TO CREATE THE MEDICAID GENERIC DRUG
9 COMPETITION AND SAVINGS ACT; TO REQUIRE THE
10 DEPARTMENT OF HUMAN SERVICES TO CREATE A COMPETITIVE
11 BID PROCESS FOR GENERIC DRUGS FOR MEDICAID RECIPIENT;
12 AND FOR OTHER PURPOSES.
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Subtitle

15 AN ACT TO CREATE THE MEDICAID GENERIC
16 DRUG COMPETITION AND SAVINGS ACT AND TO
17 REQUIRE THE DEPARTMENT OF HUMAN SERVICES
18 TO CREATE COMPETITIVE BID PROCESS FOR
19 GENERIC DRUGS FOR MEDICAID RECIPIENT.
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23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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25 SECTION 1. Arkansas Code § Title 20, Chapter 77, Subchapter 1 is
26 amended to add an additional section to read as follows:

27 20-77-125. Generic drugs competitive bid process.

28 (a) This section shall be known and may be cited as the "Medicaid
29 Generic Drug Competition and Savings Act".

30 (b) As used in this section, "generic drug" means a drug that:

31 (1) Is a copy of a innovator brand name drug that is no longer
32 protected by patent;

33 (2) Contains the same active ingredients and is identical in
34 strength, dosage form, and route of administration as the brand name
35 innovator drug; and

36 (3) Has the same indications, dosing, and labeling and provides



1 the same efficacy and safety profile to patients as the brand name innovator
2 drug.

3 (c)(1) The Department of Human Services shall create a competitive
4 bidding process to ensure that Medicaid recipients are provided high quality
5 generic drugs at a competitively bid low cost.

6 (2) Each manufacturer that provides generic drugs to Medicaid
7 recipients shall compete in the competitive bidding process required under
8 this section.

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