

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 192

5 By: Senator J. Boyd
6 By: Representative Achor
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For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING COVERAGE OF
10 BIOSIMILAR MEDICAL PRODUCTS UNDER STEP THERAPY
11 PROTOCOLS; TO AMEND EXCEPTIONS TO STEP THERAPY
12 PROTOCOLS; AND FOR OTHER PURPOSES.
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Subtitle

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16 TO AMEND THE LAW CONCERNING COVERAGE OF
17 BIOSIMILAR MEDICAL PRODUCTS UNDER STEP
18 THERAPY PROTOCOLS; AND TO AMEND
19 EXCEPTIONS TO STEP THERAPY PROTOCOLS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. DO NOT CODIFY. Legislative findings and intent.

25 (a) The General Assembly finds that:

26 (1) Increasing access to biosimilar medical products has the
27 potential to significantly reduce prescription drug costs; and

28 (2) Biosimilar medical products are approved according to the
29 same standards used by the United States Food and Drug Administration for
30 reference medications for pharmaceutical quality, safety, and efficacy.

31 (b) It is the intent of this act to:

32 (1) Eliminate barriers impeding access to biosimilar medical
33 products; and

34 (2) Promote the savings biosimilar medical products can provide
35 to consumers in this state.
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1 SECTION 2. Arkansas Code § 23-79-2104(h), concerning the application
2 of exceptions of step therapy protocols, is amended to read as follows:

3 (h) This section shall not be construed to prevent:

4 (1) A healthcare insurer, a health benefit plan, or a
5 utilization review organization from requiring:

6 (A) A patient to try a generic equivalent, ~~or~~
7 interchangeable biological product, or biosimilar medical product unless such
8 a requirement meets subsection (b) of this section pursuant to a step therapy
9 protocol exception request submitted under subsection (b) of this section; or

10 (B) A pharmacist to effect substitutions of prescription
11 drugs consistent with § 17-92-503; or

12 (2) A healthcare provider from prescribing a prescription drug
13 that is determined to be medically necessary.

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16 **APPROVED: 2/24/23**
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