



General Assembly

January Session, 2019

Committee Bill No. 36

LCO No. 5482



Referred to Committee on INSURANCE AND REAL ESTATE

Introduced by:
(INS)

AN ACT PROHIBITING HEALTH CARRIERS FROM REQUIRING THE USE OF STEP THERAPY FOR DRUGS PRESCRIBED TO TREAT DISABLING, CHRONIC OR LIFE-THREATENING DISEASES OR CONDITIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 38a-510 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *January 1, 2020*):

4 (a) No insurance company, hospital service corporation, medical
5 service corporation, health care center or other entity delivering,
6 issuing for delivery, renewing, amending or continuing an individual
7 health insurance policy or contract that provides coverage for
8 prescription drugs may:

9 (1) Require any person covered under such policy or contract to
10 obtain prescription drugs from a mail order pharmacy as a condition
11 of obtaining benefits for such drugs; or

12 (2) Require, if such insurance company, hospital service corporation,
13 medical service corporation, health care center or other entity uses step

14 therapy for such drugs, the use of step therapy for:

15 (A) [any] Any prescribed drug for longer than sixty days; [,] or

16 (B) [a] A prescribed drug for [cancer] treatment of a disabling,
17 chronic or life-threatening disease or condition for an insured who has
18 been diagnosed with [stage IV metastatic cancer] such a disease or
19 condition, provided such prescribed drug is in compliance with
20 approved federal Food and Drug Administration indications.

21 (3) At the expiration of the time period specified in subparagraph
22 (A) of subdivision (2) of this subsection, [or for a prescribed drug
23 described in subparagraph (B) of subdivision (2) of this subsection,] an
24 insured's treating health care provider may deem such step therapy
25 drug regimen clinically ineffective for the insured, at which time the
26 insurance company, hospital service corporation, medical service
27 corporation, health care center or other entity shall authorize
28 dispensation of and coverage for the drug prescribed by the insured's
29 treating health care provider, provided such drug is a covered drug
30 under such policy or contract. If such provider does not deem such
31 step therapy drug regimen clinically ineffective or has not requested
32 an override pursuant to subdivision (1) of subsection (b) of this section,
33 such drug regimen may be continued. For purposes of this section,
34 "step therapy" means a protocol or program that establishes the
35 specific sequence in which prescription drugs for a specified medical
36 condition are to be prescribed.

37 Sec. 2. Subsection (a) of section 38a-544 of the general statutes is
38 repealed and the following is substituted in lieu thereof (*Effective*
39 *January 1, 2020*):

40 (a) No insurance company, hospital service corporation, medical
41 service corporation, health care center or other entity delivering,
42 issuing for delivery, renewing, amending or continuing a group health
43 insurance policy or contract that provides coverage for prescription
44 drugs may:

45 (1) Require any person covered under such policy or contract to
46 obtain prescription drugs from a mail order pharmacy as a condition
47 of obtaining benefits for such drugs; or

48 (2) Require, if such insurance company, hospital service corporation,
49 medical service corporation, health care center or other entity uses step
50 therapy for such drugs, the use of step therapy for:

51 (A) [any] Any prescribed drug for longer than sixty days; [,] or

52 (B) [a] A prescribed drug for [cancer] treatment of a disabling,
53 chronic or life-threatening disease or condition for an insured who has
54 been diagnosed with [stage IV metastatic cancer] such a disease or
55 condition, provided such prescribed drug is in compliance with
56 approved federal Food and Drug Administration indications.

57 (3) At the expiration of the time period specified in subparagraph
58 (A) of subdivision (2) of this subsection, [or for a prescribed drug
59 described in subparagraph (B) of subdivision (2) of this subsection,] an
60 insured's treating health care provider may deem such step therapy
61 drug regimen clinically ineffective for the insured, at which time the
62 insurance company, hospital service corporation, medical service
63 corporation, health care center or other entity shall authorize
64 dispensation of and coverage for the drug prescribed by the insured's
65 treating health care provider, provided such drug is a covered drug
66 under such policy or contract. If such provider does not deem such
67 step therapy drug regimen clinically ineffective or has not requested
68 an override pursuant to subdivision (1) of subsection (b) of this section,
69 such drug regimen may be continued. For purposes of this section,
70 "step therapy" means a protocol or program that establishes the
71 specific sequence in which prescription drugs for a specified medical
72 condition are to be prescribed.

This act shall take effect as follows and shall amend the following sections:

Section 1	January 1, 2020	38a-510(a)
Sec. 2	January 1, 2020	38a-544(a)

Statement of Purpose:

To prohibit health carriers from requiring the use of step therapy for drugs prescribed to treat disabling, chronic or life-threatening diseases or conditions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. LOONEY, 11th Dist.

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