

HOUSE BILL No. 1146

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-15.

Synopsis: Nonaddictive substance abuse drugs and Medicaid. Specifies that long acting, nonaddictive medication assistance treatment drugs are included within prescribed drugs as a Medicaid service and the office of Medicaid policy and planning may not require prior authorization for the drug.

Effective: July 1, 2017.

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January 5, 2017, read first time and referred to Committee on Public Health.



First Regular Session of the 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

HOUSE BILL No. 1146

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 12-15-5-1, AS AMENDED BY P.L.210-2015,
2 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2017]: Sec. 1. Except as provided in IC 12-15-2-12,
4 IC 12-15-6, and IC 12-15-21, the following services and supplies are
5 provided under Medicaid:
6 (1) Inpatient hospital services.
7 (2) Nursing facility services.
8 (3) Physician's services, including services provided under
9 IC 25-10-1 and IC 25-22.5-1.
10 (4) Outpatient hospital or clinic services.
11 (5) Home health care services.
12 (6) Private duty nursing services.
13 (7) Physical therapy and related services.
14 (8) Dental services.
15 (9) Prescribed laboratory and x-ray services.
16 (10) Prescribed drugs and pharmacist services, **including**
17 **coverage of a long acting, nonaddictive medication assistance**



- 1 **treatment drug if the drug is being prescribed for the**
 2 **treatment of substance abuse.**
 3 (11) Eyeglasses and prosthetic devices.
 4 (12) Optometric services.
 5 (13) Diagnostic, screening, preventive, and rehabilitative services.
 6 (14) Podiatric medicine services.
 7 (15) Hospice services.
 8 (16) Services or supplies recognized under Indiana law and
 9 specified under rules adopted by the office.
 10 (17) Family planning services except the performance of
 11 abortions.
 12 (18) Nonmedical nursing care given in accordance with the tenets
 13 and practices of a recognized church or religious denomination to
 14 an individual qualified for Medicaid who depends upon healing
 15 by prayer and spiritual means alone in accordance with the tenets
 16 and practices of the individual's church or religious denomination.
 17 (19) Services provided to individuals described in IC 12-15-2-8.
 18 (20) Services provided under IC 12-15-34 and IC 12-15-32.
 19 (21) Case management services provided to individuals described
 20 in IC 12-15-2-11 and IC 12-15-2-13.
 21 (22) Any other type of remedial care recognized under Indiana
 22 law and specified by the United States Secretary of Health and
 23 Human Services.
 24 (23) Examinations required under IC 16-41-17-2(a)(10).
 25 (24) Inpatient substance abuse detoxification services.
- 26 SECTION 2. IC 12-15-35.5-3, AS AMENDED BY P.L.154-2015,
 27 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2017]: Sec. 3. (a) Except as provided in subsection (b), the
 29 office may establish prior authorization requirements for drugs covered
 30 under a program described in section 1 of this chapter.
 31 (b) With the exception of prior authorization for "brand medically
 32 necessary" of a brand name drug with a generic equivalent in
 33 accordance with IC 16-42-22-10, the office may not require prior
 34 authorization for the following single source or brand name
 35 multisource drugs:
 36 (1) A drug that is classified as an antianxiety, antidepressant, or
 37 antipsychotic central nervous system drug in the most recent
 38 publication of Drug Facts and Comparisons (published by the
 39 Facts and Comparisons Division of J.B. Lippincott Company).
 40 (2) A drug that, according to:
 41 (A) the American Psychiatric Press Textbook of
 42 Psychopharmacy;



- 1 (B) Current Clinical Strategies for Psychiatry;
2 (C) Drug Facts and Comparisons; or
3 (D) a publication with a focus and content similar to the
4 publications described in clauses (A) through (C);
5 is a cross-indicated drug for a central nervous system drug
6 classification described in subdivision (1).
7 (3) A drug that is:
8 (A) classified in a central nervous system drug category or
9 classification (according to Drug Facts and Comparisons) that
10 is created after March 12, 2002; and
11 (B) prescribed for the treatment of a mental illness (as defined
12 in the most recent publication of the American Psychiatric
13 Association's Diagnostic and Statistical Manual of Mental
14 Disorders).
15 **(4) A long acting, nonaddictive medication assistance**
16 **treatment drug if the drug is being prescribed for the**
17 **treatment of substance abuse.**
18 (c) The office may require prior authorization for an addictive
19 medication used as medication assisted treatment for substance abuse.
20 (d) Except as provided under section 7 of this chapter, a recipient
21 enrolled in a program described in section 1 of this chapter shall have
22 unrestricted access to a drug described in subsection (b).

