

**HOUSE . . . . . No. 2351**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Viriato Manuel deMacedo**

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

**An Act Regulating Appeals under the Group Insurance Commission.**

PETITION OF:

| NAME:                   | DISTRICT/ADDRESS:         |
|-------------------------|---------------------------|
| Viriato Manuel deMacedo | 1st Plymouth              |
| James R. Miceli         | 19th Middlesex            |
| Joyce A. Spilotis       | 12th Essex                |
| Christine E. Canavan    | 10th Plymouth             |
| Thomas M. Stanley       | 9th Middlesex             |
| Bruce E. Tarr           | First Essex and Middlesex |

# The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine  
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## AN ACT REGULATING APPEALS UNDER THE GROUP INSURANCE COMMISSION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 32A of the General Laws is hereby by amended, at the end thereof, the  
2 following new section:-  
3 Section 17J. Any person who is dispensed a non-formulary or non-preferred brand name  
4 prescription drug, as determined under a pharmaceutical drug program established by the  
5 commission or through a pharmacy benefit manager contracted by the commission, may appeal  
6 that determination to the commission, and upon the submission of a statement by the person's  
7 physician that, due to a medical necessity, only the non-formulary or non-preferred brand name  
8 prescription drug can be dispensed, the person shall pay for the drug at the same rate required for  
9 the formulary or preferred brand name prescription drugs under such pharmaceutical drug  
10 program.