

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 245

Introduced by Erdman, 47.

Read first time January 14, 2019

Committee:

- 1 A BILL FOR AN ACT relating to the Medical Assistance Act; to amend
- 2 section 68-954, Reissue Revised Statutes of Nebraska; to remove an
- 3 exception from the preferred drug list for certain prescription
- 4 drugs; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 68-954, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 68-954 (1) The department and the pharmaceutical and therapeutics
4 committee shall consider all therapeutic classes of prescription drugs
5 for inclusion on the preferred drug list, ~~except that antidepressant,~~
6 ~~antipsychotic, and anticonvulsant prescription drugs shall not be subject~~
7 ~~to consideration for inclusion on the preferred drug list.~~

8 (2)(a) The department shall include a prescription drug on the
9 preferred drug list if the prescription drug is therapeutically
10 equivalent to or superior to a prescription drug on the list and the net
11 cost of the new prescription drug is equal to or less than the net cost
12 of the listed drug, after consideration of applicable rebates or
13 discounts negotiated by the department.

14 (b) If the department finds that two or more prescription drugs
15 under consideration for inclusion on the preferred drug list are
16 therapeutically equivalent, the department shall include the more cost-
17 effective prescription drug or drugs on the preferred drug list, after
18 consideration of applicable rebates or discounts negotiated by the
19 department.

20 (3) The department shall maintain an updated preferred drug list in
21 electronic format and shall make the list available to the public on the
22 department's Internet web site.

23 Sec. 2. Original section 68-954, Reissue Revised Statutes of
24 Nebraska, is repealed.