

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 661

By: Standridge

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6 AS INTRODUCED

7 An Act relating to insurance; defining terms;
8 requiring coverage for a certain drug as a preferred
9 drug; prohibiting cost sharing from exceeding
10 specified levels; prohibiting certain acts relating
11 to cost sharing; prohibiting prior authorization to
require first use of certain drugs; authorizing prior
authorization for certain drugs under certain
circumstances; providing for codification; and
providing an effective date.

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14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as section 6060.21 of Title 36, unless
17 there is created a duplication in numbering reads as follows:

18 As used in Sections 1 through 3 of this act:

19 1. "Opioid analgesic drug product" means a drug product in the
20 opioid drug class prescribed to treat moderate to severe pain or
21 other conditions, whether in immediate release or extended
22 release/long-acting form and whether or not combined with other drug
23 substances to form a single drug product or dosage form;

1 2. "Abuse-deterrent opioid analgesic drug product" means a
2 brand or generic opioid analgesic drug product approved by the U.S.
3 Food and Drug Administration with abuse-deterrence labeling claims
4 that indicate the drug product is expected to result in a meaningful
5 reduction in abuse;

6 3. "Cost sharing" means any coverage limit, copayment,
7 coinsurance, deductible or other out-of-pocket expense requirements;

8 4. "Health benefit plan" means any plan or arrangement as
9 defined in subsection C of Section 6060.4 of Title 36 of the
10 Oklahoma Statutes.

11 SECTION 2. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as section 6060.22 of Title 36, unless
13 there is created a duplication in numbering reads as follows:

14 A. A health plan shall provide coverage for abuse-deterrent
15 opioid analgesic drugs as preferred drugs on the formulary,
16 preferred drug list or other lists of similar construct.

17 B. Cost sharing for abuse-deterrent opioid analgesic drug
18 products shall not exceed the lowest cost sharing level applied to
19 prescription drugs.

20 C. An increase in patient cost sharing or other disincentives
21 for prescribers or dispensers shall not be allowed to achieve
22 compliance in this section.

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1 SECTION 3. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as section 6060.23 of Title 36, unless
3 there is created a duplication in numbering reads as follows:

4 A. Any prior authorization requirements or other utilization
5 review measures for opioid analgesic drug products on the market and
6 any service denials made pursuant to such requirements or measures
7 shall not require first use of non-abuse-deterrent opioid analgesic
8 drug products in order to access opioid analgesic drug products with
9 abuse-deterrent properties.

10 B. An insurer or health benefit plan may apply prior
11 authorization requirements to abuse-deterrent opioid analgesic drug
12 products, provided that such requirements are applied to non-abuse-
13 deterrent versions of said opioid.

14 SECTION 4. This act shall become effective November 1, 2015.

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