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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- HEALTH CARE FOR
CHILDREN AND PREGNANT WOMEN

Introduced By: Representatives Gemma, Kilmartin, Fox, and Williams

Date Introduced: January 20, 2010

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 42-12.3 of the General Laws entitled "Health Care for Children and
2 Pregnant Women" is hereby amended by adding thereto the following section:

3 **42-12.3-9.1. Physician authorized product selection.** – Every licensed Rhode Island
4 physician, when prescribing any drug by brand name for a participant in the RIte Care program,
5 shall, in each prescription, whether oral, written or electronic, authorize a less expensive generic
6 equivalent drug product by signing the prescription. If, in the professional judgment of the
7 prescribing physician, the brand name is medically necessary, the physician shall indicate “brand
8 name necessary” on the prescription form. Pursuant to section 42-127.1-7 and chapter 19.1 of this
9 title, an electronic signature shall satisfy this requirement.

10 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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- 1 This act would authorize the prescribing physicians to make the final determination if a
- 2 brand name drug is medically necessary for patients in the RItE Care program.
- 3 This act would take effect upon passage.

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