

SHORT TITLE: Medicaid Drug Utilization Review Board; clarifying statutory reference; effective date.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 246

By: Monson

AS INTRODUCED

An Act relating to Medicaid; amending Section 2, Chapter 161, O.S.L. 1995, as amended by Section 4, Chapter 221, O.S.L. 1996, and as renumbered by Section 7, Chapter 221, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5030.1), which relates to the Medicaid Drug Utilization Review Board; providing statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY Section 2, Chapter 161, O.S.L. 1995, as amended by Section 4, Chapter 221, O.S.L. 1996, and as renumbered by Section 7, Chapter 221, O.S.L. 1996 (63 O.S. Supp. 1996, Section 5030.1), is amended to read as follows:

Section 5030.1 A. There is hereby created within the Oklahoma Health Care Authority the Medicaid Drug Utilization Review (DUR) Board, which shall be responsible for the implementation of retrospective and prospective drug utilization programs under the direction of the Authority.

B. The DUR Board shall consist of ten (10) members appointed by the administrator of the Authority as follows:

1. Four physicians, licensed and actively engaged in the practice of medicine or osteopathic medicine in this state, of which:

- a. three shall be physicians chosen from a list of not less than six names submitted by the Oklahoma State Medical Association, and
- b. one shall be a physician chosen from a list of not less than two names submitted by the Oklahoma Osteopathic Association;

2. Four licensed pharmacists actively engaged in the practice of pharmacy, chosen from a list of not less than six names submitted by the Oklahoma Pharmaceutical Association;

3. One person representing the lay community, who shall not be a physician or a pharmacist, but shall be a health care professional with recognized knowledge and expertise in at least one of the following:

- a. clinically appropriate prescribing of covered outpatient drugs,
- b. clinically appropriate dispensing and monitoring of covered outpatient drugs,
- c. drug use review, evaluation and intervention, and
- d. medical quality assurance; and

4. One person representing the pharmaceutical industry who is a resident of the State of Oklahoma, chosen from a list of not less than two names submitted by the Pharmaceutical Research and Manufacturers of America.

C. Members shall serve terms of three (3) years, except that one physician, one pharmacist and the lay representative shall each be initially appointed for two-year terms in order to stagger the terms. In making the appointments, the administrator shall provide, to the extent possible, for geographic balance in the representation on the DUR Board. Members may be reappointed for a period not to exceed three three-year terms and one partial term. Vacancies on the Board shall be filled for the balance of the unexpired term from

new lists submitted by the entity originally submitting the list for the position vacated.

D. The Board shall elect from among its members a chair and a vice-chair who shall serve one-year terms, provided they may succeed themselves.

E. The proceedings of all meetings of the Board shall comply with the provisions of the Oklahoma Open Meeting Act, Section 301 et seq. of Title 25 of the Oklahoma Statutes, and shall be subject to the provisions of Article I of the Administrative Procedures Act, Section 250 et seq. of Title 75 of the Oklahoma Statutes.

F. The DUR Board may advise and make recommendations to the Authority regarding existing, proposed and emergency rules governing retrospective and prospective drug utilization programs. The Oklahoma Health Care Authority Board shall promulgate rules pursuant to the provisions of Article I of the Administrative Procedures Act for implementation of the provisions of this section.

SECTION 2. This act shall become effective November 1, 1997.

46-1-0956

CJ