

THE HOUSE OF REPRESENTATIVES
Thursday, February 26, 2009

Committee Substitute for
House Bill No. 1757

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1757 - By: MARTIN (SCOTT) of the House.

An Act relating to insurance; authorizing health benefit plans to modify prescription drug coverage under specific circumstances; stating circumstances; providing for codification; and providing an effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma
2 Statutes as Section 3634.5 of Title 36, unless there is created a duplication in numbering,
3 reads as follows:

4 Health benefit plans may remove drugs from their formularies, move covered drugs
5 to a higher co-payment tier, add utilization management requirements, interchange
6 drugs, or implement mandatory generic substitution programs, only after sixty (60) days
7 notice to prescribers, network pharmacies, pharmacists, plan enrollees, and plan
8 beneficiaries covered by the plan. Plans may make such formulary changes only if
9 enrollees and beneficiaries currently taking an affected drug are exempt from the
10 formulary change for the remainder of the plan.

11 SECTION 2. This act shall become effective November 1, 2009.

1 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND
2 FINANCIAL SERVICES, dated 02-25-09 - DO PASS, As Amended.