

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 HOUSE BILL 2102

By: McPeak

4
5 AS INTRODUCED

6 An Act relating to poor persons; creating the Donut
7 Hole Act; defining term; requiring the Department of
8 Human Services to establish a program to provide
9 prescription drugs to senior citizens; specifying
10 certain program requirements; specifying payment
requirements; providing for the promulgation of
rules; providing for codification; and providing an
effective date.

11
12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 3200 of Title 56, unless there
16 is created a duplication in numbering, reads as follows:

17 This act shall be known and may be cited as the "Donut Hole
18 Act".

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 3201 of Title 56, unless there
21 is created a duplication in numbering, reads as follows:

22 A. For the purposes of this section, "senior citizens" means
23 individuals age sixty-five (65) years or older.
24

1 B. The Department of Human Services shall establish a program
2 to provide low-cost prescription drugs to the senior citizens of
3 Oklahoma. The program shall include:

4 1. The use of standard or larger prescription refill sizes so
5 as to minimize operational costs and to maximize economies; and

6 2. Unless the prescribing physician indicates otherwise, the
7 required use of generic or chemically equivalent drugs, provided
8 that the drugs are of the same quality, have the same system of
9 delivery as provided to the general public, and are consistent with
10 good pharmaceutical practice.

11 C. The Director of the Department of Human Services shall
12 establish the amount of payment to be made by recipients toward the
13 cost of prescription drugs. The program shall pay at least seventy-
14 five percent (75%) of the cost of all prescription drugs not covered
15 by insurance or the Medicare Part D Prescription Drug Program. The
16 Department shall promulgate rules to implement the provisions of
17 this section.

18 SECTION 3. This act shall become effective November 1, 2009.

19

20 52-1-6597 SAB 01/14/09

21

22

23

24