

1 STATE OF OKLAHOMA

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

3 SENATE BILL 661

By: Standridge

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5  
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.

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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