

1 ENGROSSED HOUSE
2 BILL NO. 2748

By: Miller, Conley, West
(Tammy), Hasenbeck, Stark,
Townley, Roe, Baker,
Provenzano, Munson,
CrosswhiteHader, Hefner,
Schreiber, Ranson, Goodwin,
and Fugate of the House

and

Stanley of the Senate

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10 An Act relating to public health and safety;
11 prohibiting step therapy requirements for certain
12 drugs for certain conditions; providing definitions;
13 authorizing a health benefit plan to allow coverage
14 for prescription drugs for advanced metastatic cancer
15 and associated conditions without proving step
16 therapy; and providing an effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 7320 of Title 63, unless there
20 is created a duplication in numbering, reads as follows:

21 For the purpose of prohibiting step therapy requirements for
22 certain prescription drugs to treat advanced metastatic cancer and
23 associated conditions.

24 As used in this section:

1. "Associated conditions" means the symptoms or side effects
associated with advanced metastatic cancer or its treatment and

1 which, in the judgment of the health care practitioner, will further
2 jeopardize the health of a patient if left untreated;

3 2. "Advanced metastatic cancer" means cancer that has spread
4 from the primary or original site of the cancer to nearby tissues,
5 lymph nodes, or other areas or parts of the body.

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 7321 of Title 63, unless there
8 is created a duplication in numbering, reads as follows:

9 A. A health benefit plan that provides coverage for advanced
10 metastatic cancer and associated conditions may not require, before
11 the health benefit plan provides coverage of a prescription drug
12 approved by the United States Food and Drug Administration, that the
13 enrollee:

- 14 1. Fails to successfully respond to a different drug; or
- 15 2. Proves a history of failure of a different drug.

16 B. This section applies only to a drug, the use of which is:

- 17 1. Consistent with best practices for the treatment of advanced
18 metastatic cancer or an associated condition;
- 19 2. Supported by peer-reviewed, evidence-based literature; and
- 20 3. Approved by the United States Food and Drug Administration.

21 SECTION 3. This act shall become effective November 1, 2023.

1 Passed the House of Representatives the 7th day of March, 2023.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2023.

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Presiding Officer of the Senate