

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 192

By: Senator J. Boyd
By: Representative Achor

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING COVERAGE OF
BIOSIMILAR MEDICAL PRODUCTS UNDER STEP THERAPY
PROTOCOLS; TO AMEND EXCEPTIONS TO STEP THERAPY
PROTOCOLS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING COVERAGE OF
BIOSIMILAR MEDICAL PRODUCTS UNDER STEP
THERAPY PROTOCOLS; AND TO AMEND
EXCEPTIONS TO STEP THERAPY PROTOCOLS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. DO NOT CODIFY. Legislative findings and intent.

(a) The General Assembly finds that:

(1) Increasing access to biosimilar medical products has the potential to significantly reduce prescription drug costs; and

(2) Biosimilar medical products are approved according to the same standards used by the United States Food and Drug Administration for reference medications for pharmaceutical quality, safety, and efficacy.

(b) It is the intent of this act to:

(1) Eliminate barriers impeding access to biosimilar medical products; and

(2) Promote the savings biosimilar medical products can provide to consumers in this state.



SECTION 2. Arkansas Code § 23-79-2104(h), concerning the application of exceptions of step therapy protocols, is amended to read as follows:

(h) This section shall not be construed to prevent:

(1) A healthcare insurer, a health benefit plan, or a utilization review organization from requiring:

(A) A patient to try a generic equivalent, ~~or~~ interchangeable biological product, or biosimilar medical product unless such a requirement meets subsection (b) of this section pursuant to a step therapy protocol exception request submitted under subsection (b) of this section; or

(B) A pharmacist to effect substitutions of prescription drugs consistent with § 17-92-503; or

(2) A healthcare provider from prescribing a prescription drug that is determined to be medically necessary.

APPROVED: 2/24/23