

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: S3/27/13 S4/5/13  
**A Bill**

SENATE BILL 916

By: Senators J. Woods, E. Cheatham, J. Dismang, J. English, S. Flowers, J. Hutchinson, D. Wyatt  
By: Representatives Harris, Baine, Gillam, Neal

### For An Act To Be Entitled

AN ACT TO ENSURE THAT VULNERABLE CITIZENS RECEIVE MEDICATIONS NECESSARY FOR THE TREATMENT OF LIFE-ALTERING ILLNESS AND FOR SUSTAINING A PRODUCTIVE QUALITY OF LIFE; TO CREATE THE CONTINUITY OF CARE ACT OF 2013; AND FOR OTHER PURPOSES.

### Subtitle

TO ENSURE THAT VULNERABLE CITIZENS RECEIVE MEDICATIONS FOR LIFE-ALTERING ILLNESS; AND TO CREATE THE CONTINUITY OF CARE ACT OF 2013.

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

*SECTION 1. Arkansas Code Title 23, Chapter 79, Subchapter 1, is amended to add an additional section to read as follows:*

*23-79-156. Notification of drug formulary changes.*

*(a)(1) A health benefit plan that provides prescription drug coverage or contracts with a third party for prescription drug services with tiered copayments shall notify an enrollee presently taking a prescription drug, in writing or electronically at the request of the enrollee, at least sixty (60) days before an increase in the enrollees' financial responsibility as a result of a modification by the health benefit plan to the health benefit plan's drug formulary.*

*(2) Subdivision (a)(1) of this section does not apply to a generic substitution for a prescription drug.*



(b) This section does not apply to coverage for a drug that is determined by a pharmacy and a therapeutics committee to be subject to new safety warnings.

SECTION 2. Effective date. Section 1 of this act is effective on and after January 1, 2014.

/s/J. Woods