

State of Arkansas As Engrossed: H3/16/23 H3/30/23

94th General Assembly

A Bill

Regular Session, 2023

HOUSE BILL 1276

By: Representative L. Johnson

By: Senator J. Boyd

For An Act To Be Entitled

AN ACT TO EXCLUDE ANTIPSYCHOTIC PRESCRIPTION DRUGS
FROM STEP THERAPY; AND FOR OTHER PURPOSES.

Subtitle

TO EXCLUDE ANTIPSYCHOTIC PRESCRIPTION
DRUGS FROM STEP THERAPY.

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

SECTION 1. Arkansas Code § 23-99-1114 is amended to read as follows:

23-99-1114. Limitation on step therapy – ~~Definition~~ Definitions.

(a) An insurance policy ~~that provides coverage for the treatment of metastatic cancer~~ shall not limit or exclude coverage under the health benefit plan for a drug approved by the United States Food and Drug Administration that is on the prescription drug formulary of the insurance policy by mandating that a covered person ~~with metastatic cancer~~ undergo step therapy if the insurance policy provides coverage for the treatment of:

(1) Psychosis and serious mental illness through antipsychotic prescription drugs; and

(2) Metastatic cancer unless the preferred drug is consistent with best practices that:

~~(1)(A)~~ (A) Are used for the treatment of metastatic cancer or associated conditions under:

~~(A)(i)~~ (i) The United States Food and Drug Administration-approved indication; or

~~(B)(ii)~~ (ii) The National Comprehensive Cancer Network



1 *Drugs and Biologics Compendium indication; or*

2 ~~(2)(B)~~ *Use evidence-based, peer-reviewed, recognized*
3 *medical literature.*

4 *(b) As used in ~~subsection (a)~~ of this section:*

5 *(1) "metastatic "Metastatic cancer" means cancer that has spread*
6 *from a primary or original site of the cancer to surrounding or nearby*
7 *tissues, lymph nodes, or other parts of the body;*

8 *(2)(A) "Psychosis" means a condition that affects the mind and*
9 *affects the way the brain processes information.*

10 *(B) "Psychosis" includes delusions and hallucinations; and*

11 *(3) "Serious mental illness" means a mental, behavioral, or*
12 *emotional disorder resulting in serious functional impairment, that*
13 *substantially interferes with or limits one (1) or more major life*
14 *activities.*

15 *(c) For psychosis and serious mental illness, if there is a generic*
16 *drug equivalent approved by the United States Food and Drug Administration*
17 *under the same chemical or generic name of a name brand drug that is*
18 *available, it is not considered step therapy to allow access to and coverage*
19 *for both the generic drug and the name brand drug.*

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21 */s/L. Johnson*
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