

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

State of Arkansas
94th General Assembly
Regular Session, 2023

As Engrossed: H3/16/23 H3/30/23

A Bill

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

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

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



Drugs and Biologics Compendium indication; or

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

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

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

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

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

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

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

/s/L. Johnson