

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Senate Bill 364 be amended to read as follows:

- 1           Page 10, delete lines 26 through 42, begin a new paragraph and  
2           insert:  
3           **"Sec. 1. (a) A managed care plan that provides prescription**  
4           **drug benefits shall do the following:**  
5           **(1) Develop a formulary:**  
6           **(A) in consultation with; and**  
7           **(B) with the approval of;**  
8           **a pharmacy and therapeutics committee, a majority of whose**  
9           **members are licensed physicians.**  
10          **(2) If the managed care plan maintains one (1) or more drug**  
11          **formularies, disseminate to participating providers and**  
12          **pharmacists the complete drug formulary or formularies**  
13          **maintained by the managed care plan, including a list of the**  
14          **prescription drugs on the formulary by major therapeutic**  
15          **category that specifies whether a particular drug is**  
16          **preferred over other drugs.**  
17          **(3) Establish and maintain an expeditious process or**  
18          **procedure that allows an enrollee to obtain, without penalty**  
19          **or additional cost sharing beyond that provided for**  
20          **formulary drugs in the enrollee's contract with the managed**  
21          **care plan, coverage of a specific nonformulary prescription**  
22          **drug if the prescribing provider determines that the**  
23          **nonformulary alternative is medically necessary or**  
24          **appropriate to treat a covered condition or disease."**  
25          Page 11, line 1, delete "(c)" and insert "(b)".  
26          Page 11, line 6, delete "and" and insert "or".  
27          Page 11, line 9, after "operate" insert ", or cause to be established  
28          **and operated,".**  
29          Page 11, line 23, after "outcomes" insert ", including prospective  
30          **drug utilization review programs that monitor for possible**  
31          **prescription drug problems or complications, including drug to**  
32          **disease interactions, drug to drug interactions, or therapeutic**  
33          **duplication".**

- 1 Page 11, delete lines 29 through 36.
- 2 Page 11, line 37, delete "7" and insert "5".
- 3 Page 11, line 37, after "commissioner" insert ", **with input and**
- 4 **assistance from the state health commissioner,**".  
(Reference is to SB 364 as printed January 27, 1998.)

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Senator LAWSON