

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 228 be amended to read as follows:

- 1 Page 4, between lines 9 and 10, begin a new paragraph and insert:
- 2 **"(l) The therapeutics committee shall meet:**
- 3 **(1) upon the call of the chairperson of the therapeutics**
- 4 **committee; and**
- 5 **(2) at least quarterly.**
- 6 **(m) The chairperson and the vice chairperson of the**
- 7 **therapeutics committee:**
- 8 **(1) each serve for a term of one (1) year; and**
- 9 **(2) must be elected from the therapeutics committee's**
- 10 **membership at the therapeutics committee's first meeting**
- 11 **each calendar year.**
- 12 **(n) A meeting held by the therapeutics committee must be open**
- 13 **to the public in accordance with IC 5-14-1.5."**
- 14 Page 5, line 38, delete "for Medicaid's fee for service program and
- 15 primary" and insert **"for:**
- 16 **(A) Medicaid's fee for service program;**
- 17 **(B) Medicaid's primary care case management program;**
- 18 **and**
- 19 **(C) the children's health insurance program under**
- 20 **IC 12-17.6;"**.
- 21 Page 5, line 39, delete "care case management program".
- 22 Page 5, line 39, before "in" begin a new line block indented.
- 23 Page 6, between lines 22 and 23, begin a new paragraph and insert:
- 24 **"(e) The board, in consultation with the therapeutics committee,**
- 25 **shall approve or deny the inclusion on the preferred drug list of a**
- 26 **single source drug that is newly approved by the federal Food and**
- 27 **Drug Administration on the earlier of:**
- 28 **(1) thirty (30) days after the single source drug is approved by**
- 29 **the federal Food and Drug Administration; or**
- 30 **(2) the date of the board's first scheduled meeting following**
- 31 **the approval of the single source drug by the federal Food and**

- 1 **Drug Administration."**
- 2 Page 8, between lines 30 and 31, begin a new paragraph and insert:
- 3 "SECTION 12. IC 12-15-35-43 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 43. (a)
- 5 Confidential data or information obtained by pharmacists as part of
- 6 prospective DUR are confidential but may be released to prescribers or
- 7 others according to procedures established by the board.
- 8 **(b) The board, the therapeutics committee, or the office may not**
- 9 **release proprietary information obtained as part of the**
- 10 **development, implementation, or maintenance of a preferred drug**
- 11 **list under this chapter."**
- 12 Page 10, between lines 32 and 33, begin a new paragraph and insert:
- 13 "SECTION 15. IC 12-17.6-4-8, AS ADDED BY P.L.291-2001,
- 14 SECTION 158, IS AMENDED TO READ AS FOLLOWS
- 15 [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The office shall require
- 16 the use of generic drugs in the program.
- 17 **(b) The office shall use the preferred drug list implemented**
- 18 **under IC 12-15-35-28.7."**
- 19 Page 10, line 37, after ";" insert "**or**".
- 20 Page 10, line 38, delete ";" or" and insert ".".
- 21 Page 10, delete line 39.
- 22 Renumber all SECTIONS consecutively.
(Reference is to SB 228 as printed January 30, 2002.)

Senator MILLER