
HOUSE BILL No. 1262

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-200.3; IC 12-15.

Synopsis: Medicaid prescription drugs. Defines "waste" for purposes of drug utilization review. Allows the office of Medicaid policy and planning to restrict the use of a mental health drug that is prescribed for an individual less than 18 years of age under certain conditions.

Effective: July 1, 2010.

Brown C

January 12, 2010, read first time and referred to Committee on Public Health.

C
O
P
Y



Second Regular Session 116th General Assembly (2010)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2009 Regular and Special Sessions of the General Assembly.

C
o
p
y

HOUSE BILL No. 1262



A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-7-2-200.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2010]: **Sec. 200.3. "Waste", for purposes of**
4 **IC 12-15-35.5, has the meaning set forth in IC 12-15-35.5-2.7.**

5 SECTION 2. IC 12-15-35.5-2.7 IS ADDED TO THE INDIANA
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2010]: **Sec. 2.7. As used in this chapter,**
8 **"waste" means the:**

- 9 (1) **inappropriate;**
- 10 (2) **overprescribing;**
- 11 (3) **underprescribing;**
- 12 (4) **overutilization;**
- 13 (5) **underutilization; or**
- 14 (6) **substantial noncompliant use;**
- 15 **of a prescription drug.**

16 SECTION 3. IC 12-15-35.5-8 IS ADDED TO THE INDIANA
17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2010]: **Sec. 8. Upon the recommendation of**
2 **the mental health Medicaid quality advisory committee established**
3 **by IC 12-15-35-51 and the drug utilization review board**
4 **established by IC 12-15-35-19, the office may restrict the use of a**
5 **mental health drug described in section 3 of this chapter that is**
6 **prescribed for an individual who is less than eighteen (18) years of**
7 **age unless:**
8 (1) **the outpatient prescription drug has been approved by the**
9 **federal Food and Drug Administration for use by individuals**
10 **less than eighteen (18) years of age; or**
11 (2) **the use of the mental health drug has been supported by a**
12 **drug use review program described in 42 U.S.C.**
13 **1396r-8(g)(1).**

C
O
P
Y

