

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 2010 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 178

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AN ACT concerning insurance.

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

SECTION 1. [EFFECTIVE JULY 1, 2011] (a) **As used in this SECTION, "enrollee" has the meaning set forth in IC 27-13-1-12.**

(b) **As used in this SECTION, "health maintenance organization" has the meaning set forth in IC 27-13-1-19. The term includes a pharmacy benefit manager.**

(c) **As used in this SECTION, "insured" means an individual entitled to coverage under a policy of accident and sickness insurance.**

(d) **As used in this SECTION, "insurer" means an insurer that issues a policy of accident and sickness insurance. The term includes a pharmacy benefit manager.**

(e) **As used in this SECTION, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1.**

(f) **As used in this SECTION, "subscriber" has the meaning set forth in IC 27-13-1-32.**

(g) **As used in this SECTION, "substitution" means a substitution of a treatment, including a drug, a device, or a therapy, for the treatment ordered by an insured's or enrollee's treating physician.**

(h) **The health finance commission established by IC 2-5-23-3 shall, during the 2011 interim of the general assembly, study the following possible prohibitions on insurers and health maintenance**

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**organizations related to outpatient benefits:**

**(1) Requesting a substitution from an insured's or enrollee's treating physician.**

**(2) Contacting an insured, enrollee, or subscriber concerning a substitution.**

**(3) Requesting from an insured's or enrollee's treating physician a change in the quantity of a covered drug to be dispensed.**

**(i) In studying the prohibitions described in subsection (h), the health finance commission shall consider the following:**

**(1) The physician/patient relationship.**

**(2) The time and administrative costs related to unsolicited requests and contacts from insurers.**

**(3) Whether such requests and contacts:**

**(A) are beneficial to the insured or enrollee; or**

**(B) should be limited or prohibited.**

**(j) This SECTION expires December 31, 2011.**

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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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