



PRELIMINARY DRAFT
No. 3246

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2012 GENERAL ASSEMBLY

DIGEST

Citations Affected: IC 27-8-32.5; IC 27-13-7-20.1.

Synopsis: Coverage for brand name anti-epileptic drugs. Prohibits health insurers from placing specified restrictions on brand name anti-epileptic prescription drugs if the same restrictions are not placed on a generic equivalent anti-epileptic prescription drug.

Effective: July 1, 2012.



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

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

1 SECTION 1. IC 27-8-32.5 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]:

4 **Chapter 32.5. Generic Anti-Epileptic Drug Substitution**

5 **Sec. 1. This chapter applies to a policy of accident and sickness
6 insurance that provides coverage for prescription drugs.**

7 **Sec. 2. As used in this chapter, "insured" means an individual
8 who is entitled to coverage under a policy of accident and sickness
9 insurance.**

10 **Sec. 3. As used in this chapter, "policy of accident and sickness
11 insurance" has the meaning set forth in IC 27-8-5-1.**

12 **Sec. 4. Coverage for a brand name anti-epileptic prescription
13 drug under a policy of accident and sickness insurance may not be
14 subject to dollar limits, copayments, deductibles, prior
15 authorization, or coinsurance provisions that are less favorable to
16 an insured than the dollar limits, copayments, deductibles, prior
17 authorization, or coinsurance provisions that apply to coverage for
18 a generic anti-epileptic prescription drug under the policy of
19 accident and sickness insurance.**

20 SECTION 2. IC 27-13-7-20.1 IS ADDED TO THE INDIANA
21 CODE AS A NEW SECTION TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2012]: **Sec. 20.1. (a) This section applies to an
23 individual contract or a group contract that provides coverage for
24 prescription drugs.**

25 **(b) Coverage for a brand name anti-epileptic prescription drug
26 under an individual contract or a group contract may not be
27 subject to dollar limits, copayments, deductibles, prior
28 authorization, or coinsurance provisions that are less favorable to
29 an enrollee than the dollar limits, copayments, deductibles, prior
30 authorization, or coinsurance provisions that apply to coverage for
31 a generic anti-epileptic prescription drug under the individual**



1 **contract or group contract.**

