

**FIFTY-FOURTH LEGISLATURE
FIRST SESSION, 2019**

March 8, 2019

Mr. Speaker:

Your **HEALTH & HUMAN SERVICES COMMITTEE**, to whom has been referred

**SENATE JUDICIARY COMMITTEE SUBSTITUTE FOR SENATE
PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR
SENATE BILL 188**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 7, line 21, after "requests", insert "to approve or pend a request for benefits".
2. On page 9, between lines 1 and 2, insert the following new subsections:

"D. Upon denial of a covered person's prior authorization request based on a finding that a prescription drug is not on the covered person's health benefits plan formulary, a health insurer shall notify the person of the denial and include in a conspicuous manner information regarding the person's right to initiate a drug formulary exception request and the process to file a request for an exception to the denial.

E. An auto-adjudicated prior authorization request based on medical necessity that is pended or denied shall be reviewed by a health care professional from the same or similar practice specialty as that which forms the basis for the medical necessity. The health care professional shall make a final determination of the request. If the request is denied after review by a health care professional, notice of the denial shall be provided to the covered person and covered person's provider with the grounds for the denial and a notice of the right to appeal and describing the process to file an appeal.

F. A health insurer shall establish a process by which a health care provider or covered person may initiate an electronic appeal of a denial of a prior authorization request."

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- 3. Reletter the succeeding subsections accordingly.
- 4. On page 9, line 8, after "a", insert "covered person or a".
- 5. On page 9, line 10, after "review", insert "of an expedited prior authorization request made pursuant to Subsection B of this section".

Respectfully submitted,

Deborah Armstrong, Chair

Adopted _____
(Chief Clerk)

Not Adopted _____
(Chief Clerk)

Date _____

The roll call vote was 5 For 0 Against
 Yes: 5
 No: 0
 Excused: Armstrong, D., Armstrong, G.
 Absent: Cook

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