

ASSEMBLY BILL NO. 4—COMMITTEE OF THE WHOLE

JUNE 27, 2008

Referred to Committee of the Whole

SUMMARY—Revises provisions governing the list of preferred prescription drugs to be used for the Medicaid program. (BDR 38-23)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to health care; revising provisions governing the list of preferred prescription drugs to be used for the Medicaid program; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, the Department of Health and Human Services is required
2 to develop by regulation a list of preferred prescription drugs to be used for the
3 Medicaid program. The Department is also required to establish a list of
4 prescription drugs which must be excluded from any restrictions that are imposed
5 on drugs that are on the list of preferred drugs. (NRS 422.4025) This bill eliminates
6 the requirement that certain specified types of medications be included on the list of
7 drugs excluded from the restrictions.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 422.4025 is hereby amended to read as
2 follows:

3 422.4025 1. The Department shall, by regulation, develop a
4 list of preferred prescription drugs to be used for the Medicaid
5 program.

6 2. The Department shall, by regulation, establish a list of
7 prescription drugs which must be excluded from any restrictions that
8 are imposed on drugs that are on the list of preferred prescription



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1 drugs established pursuant to subsection 1. The list established
2 pursuant to this subsection must include, without limitation {:

3 ~~—(a) Atypical and typical antipsychotic medications that are~~
4 ~~prescribed for the treatment of a mental illness of a patient who is~~
5 ~~receiving services pursuant to Medicaid;~~

6 ~~—(b) Prescription drugs that are prescribed for the treatment of the~~
7 ~~human immunodeficiency virus or acquired immunodeficiency~~
8 ~~syndrome, including, without limitation, protease inhibitors and~~
9 ~~antiretroviral medications;~~

10 ~~—(c) Anticonvulsant medications;~~

11 ~~—(d) Antirejection medications for organ transplants;~~

12 ~~—(e) Antidiabetic medications;~~

13 ~~—(f) Antihemophilic medications; and~~

14 ~~—(g) Any], any~~ prescription drug which the Committee identifies
15 as appropriate for exclusion from any restrictions that are imposed
16 on drugs that are on the list of preferred prescription drugs.

17 3. The regulations must provide that the Committee makes the
18 final determination of:

19 (a) Whether a class of therapeutic prescription drugs is included
20 on the list of preferred prescription drugs and is excluded from any
21 restrictions that are imposed on drugs that are on the list of preferred
22 prescription drugs;

23 (b) Which therapeutically equivalent prescription drugs will be
24 reviewed for inclusion on the list of preferred prescription drugs and
25 for exclusion from any restrictions that are imposed on drugs that
26 are on the list of preferred prescription drugs; and

27 (c) Which prescription drugs should be excluded from any
28 restrictions that are imposed on drugs that are on the list of preferred
29 prescription drugs based on continuity of care concerning a specific
30 diagnosis, condition, class of therapeutic prescription drugs or
31 medical specialty.

32 4. The regulations must provide that each new pharmaceutical
33 product and each existing pharmaceutical product for which there is
34 new clinical evidence supporting its inclusion on the list of preferred
35 prescription drugs must be made available pursuant to the Medicaid
36 program with prior authorization until the Committee reviews the
37 product or the evidence.

38 **Sec. 2.** This act becomes effective on July 1, 2008.

