

SENATE BILL NO. 260—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

MARCH 22, 2005

Referred to Committee on Human Resources and Education

SUMMARY—Revises provisions concerning provision of prescription drugs pursuant to Medicaid program. (BDR 38-794)

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 public welfare; revising provisions concerning the provision of prescription drugs pursuant to the Medicaid program; and providing other matters properly relating thereto.

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

- 1 **Section 1.** NRS 422.403 is hereby amended to read as follows:
2 422.403 1. The Department shall, by regulation, establish
3 and manage the use by the Medicaid program of step therapy and
4 prior authorization for prescription drugs ~~that~~ *other than the*
5 *prescription drugs on the list established pursuant to subsection 2*
6 *of NRS 422.4025.*
7 2. The Drug Use Review Board shall:
8 (a) Advise the Department concerning the use by the Medicaid
9 program of step therapy and prior authorization for prescription
10 drugs;
11 (b) Develop step therapy protocols and prior authorization
12 policies and procedures for use by the Medicaid program for
13 prescription drugs; and
14 (c) Review and approve, based on clinical evidence and best
15 clinical practice guidelines and without consideration of the cost of



1 the prescription drugs being considered, step therapy protocols used
2 by the Medicaid program for prescription drugs ~~H~~,
3 *↪ other than the prescription drugs on the list of preferred*
4 *prescription drugs developed pursuant to subsection 1 of NRS*
5 *422.4025, the prescription drugs on the list established pursuant to*
6 *subsection 2 of NRS 422.4025, or any class of therapeutic*
7 *prescription drugs, therapeutically equivalent prescription drugs*
8 *and other prescription drugs about which the Committee has made*
9 *a determination pursuant to subsection 3 of NRS 422.4025.*

10 3. The Department shall not require the Drug Use Review
11 Board to , *and the Drug Use Review Board shall not*, develop,
12 review or approve prior authorization policies or procedures
13 necessary for the operation of the list of preferred prescription drugs
14 developed for the Medicaid program pursuant to NRS 422.4025.

15 4. The Department shall accept recommendations from the
16 Drug Use Review Board as the basis for developing or revising step
17 therapy protocols and prior authorization policies and procedures
18 used by the Medicaid program for prescription drugs ~~H~~ *other than*
19 *the prescription drugs on the list of preferred prescription drugs*
20 *developed pursuant to subsection 1 of NRS 422.4025.*

21 **Sec. 2.** This act becomes effective upon passage and approval.

