

SENATE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

April 17, 2024  
Date

Committee on Health & Human Services.

After consideration on the merits, the Committee recommends the following:

SB24-110 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, page 3, line 5, strike "no".

2 Page 3, after line 13 insert:

3           "(c) "UNSUCCESSFULLY TREATED" REFERS TO THE CLINICALLY  
4 APPROPRIATE GUIDELINES USED TO DETERMINE A PATIENT'S FAILURE ON  
5 A MEDICATION AND MAY INCLUDE A LACK OF EFFICACY DURING A  
6 SIX-WEEK MEDICATION TRIAL, AN ALLERGIC REACTION, INTOLERABLE SIDE  
7 EFFECTS, SIGNIFICANT DRUG-TO-DRUG INTERACTIONS, OR A KNOWN  
8 INTERACTING GENETIC POLYMORPHISM THAT PREVENTS SAFE PREFERRED  
9 MEDICATION DOSING AS ATTESTED TO BY THE PROVIDER."

10 Page 3, strike lines 14 through 22 and substitute:

11           "(2) THE STATE DEPARTMENT SHALL NOT REQUIRE AN ADULT TO  
12 BE PRESCRIBED AN ANTIPSYCHOTIC PRESCRIPTION DRUG THAT IS INCLUDED  
13 ON THE PREFERRED DRUG LIST AND USED TO TREAT A MENTAL HEALTH  
14 DISORDER OR MENTAL HEALTH CONDITION, AS INDICATED ON FEDERALLY  
15 APPROVED LABELS, IF:

16           (a) DURING THE PRECEDING THREE HUNDRED SIXTY-FIVE DAYS,  
17 THE ADULT WAS PRESCRIBED AND UNSUCCESSFULLY TREATED WITH AN  
18 ANTIPSYCHOTIC PRESCRIPTION DRUG THAT IS INCLUDED ON THE  
19 PREFERRED DRUG LIST AND USED TO TREAT A MENTAL HEALTH DISORDER  
20 OR MENTAL HEALTH CONDITION AND FOR WHICH A SINGLE CLAIM IS PAID;  
21 OR

22           (b) THE ADULT IS STABLE ON AN ANTIPSYCHOTIC DRUG USED TO  
23 TREAT A MENTAL HEALTH DISORDER OR MENTAL HEALTH CONDITION THAT  
24 IT NOT INCLUDED ON THE PREFERRED DRUG LIST."

1 Page 4, after line 11 insert:

2 "(7) THIS SECTION DOES NOT PREVENT THE STATE DEPARTMENT  
3 FROM REQUIRING THE PRESCRIBING PROVIDER TO ELECTRONICALLY  
4 ATTEST THAT THE ADULT MEETS THE REQUIREMENTS OF SUBSECTION  
5 (2)(a) OR (2)(b) OF THIS SECTION PRIOR TO PROVIDING COVERAGE FOR AN  
6 ANTIPSYCHOTIC DRUG USED TO TREAT A MENTAL HEALTH DISORDER OR  
7 MENTAL HEALTH CONDITION THAT IS NOT INCLUDED ON THE PREFERRED  
8 DRUGLIST. THE ATTESTATION MUST BE AUTOMATICALLY PROCESSED AND  
9 MUST AUTOMATICALLY OVERRIDE THE PREFERRED DRUG COVERAGE  
10 REQUIREMENT UPON THE ATTESTATION BEING MADE".

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