

SENATE FLOOR AMENDMENT

Second Reading

BY SENATOR Moreno

1 Amend printed bill, page 14, before line 5 insert:

2 "SECTION 13. In Colorado Revised Statutes, 10-16-124.5,
3 **amend** (2)(a) introductory portion; and **add** (2)(c) as follows:

4 **10-16-124.5. Prior authorization form - drug benefits - rules**
5 **of commissioner - definitions.** (2) (a) Except as provided in ~~paragraph~~
6 ~~(b) of this subsection (2)~~ SUBSECTION (2)(b) OR (2)(c) OF THIS SECTION,
7 a prior authorization request is deemed granted if a carrier or pharmacy
8 benefit management firm fails to:

9 (c) FOR NONURGENT PRIOR AUTHORIZATION REQUESTS RELATED
10 TO A COVERED PERSON'S HIV PRESCRIPTION DRUG COVERAGE, THE PRIOR
11 AUTHORIZATION REQUEST IS DEEMED GRANTED IF A CARRIER OR
12 PHARMACY BENEFIT MANAGEMENT FIRM FAILS TO:

13 (I) UTILIZE THE PRIOR AUTHORIZATION PROCESS DEVELOPED
14 PURSUANT TO SUBSECTION (3) OF THIS SECTION;

15 (II) FOR PRIOR AUTHORIZATION REQUESTS SUBMITTED
16 ELECTRONICALLY:

17 (A) NOTIFY THE PRESCRIBING PROVIDER WITHIN ONE BUSINESS
18 DAY AFTER RECEIPT OF THE REQUEST THAT THE REQUEST IS APPROVED,
19 DENIED, OR INCOMPLETE, AND IF INCOMPLETE, INDICATE THE SPECIFIC
20 ADDITIONAL INFORMATION, CONSISTENT WITH CRITERIA POSTED
21 PURSUANT TO SUBSECTION (3)(a)(II) OF THIS SECTION, THAT IS REQUIRED
22 TO PROCESS THE REQUEST; OR

23 (B) NOTIFY THE PRESCRIBING PROVIDER WITHIN ONE BUSINESS
24 DAY AFTER RECEIVING THE ADDITIONAL INFORMATION REQUIRED BY THE
25 CARRIER OR PHARMACY BENEFIT MANAGEMENT FIRM PURSUANT TO
26 SUBSECTION (2)(a)(II)(A) OF THIS SECTION, THAT THE REQUEST IS
27 APPROVED OR DENIED; AND

28 (III) FOR NONURGENT AND URGENT PRIOR AUTHORIZATION
29 REQUESTS SUBMITTED ORALLY, BY FACSIMILE, OR BY ELECTRONIC MAIL,
30 NOTIFY THE PRESCRIBING PROVIDER WITHIN ONE DAY AFTER RECEIPT OF
31 THE REQUEST THAT THE REQUEST IS APPROVED OR DENIED."

32 Renumber succeeding section accordingly.

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