SB161 INTRODUCED



- 1 SB161
- 2 46XZIR3-1
- 3 By Senator Jones
- 4 RFD: Healthcare
- 5 First Read: 11-Feb-25



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SYNOPSIS:

Under existing law, drugs covered under the Medicaid program are reviewed by a Medicaid Pharmacy and Therapeutics Committee for approval on a preferred drug list.

This bill would require that pain medications that are not opioids or narcotics and that receive approval from the U.S. Food and Drug Administration be included on the preferred drug list on terms of coverage that are no less restrictive than those given to opioid pain medications on the list.

Relating to Medicaid; to amend Section 22-6-123, Code of Alabama 1975, to further provide for the Medicaid preferred drug plan by requiring that nonopioid pain medications that have been approved by the U.S. Food and Drug Administration receive the same coverage as opioid pain medications.

A BILL

TO BE ENTITLED

AN ACT

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

27 Section 1. Section 22-6-123, Code of Alabama 1975, is 28 amended to read as follows:

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29	"§22-6-123	

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- 30 (a) Drugs will be considered for the Medicaid preferred 31 drug list based on clinical efficacy, side effect profiles, 32 appropriate usage, and cost effectiveness.
- 33 (b) The Medicaid Pharmacy and Therapeutics Committee 34 shall perform a thorough review of relevant clinical and 35 medical considerations, including, but not limited to: 36 Medicaid Drug Utilization Review (DUR) data; Surveillance 37 Utilization Review (SUR) data; potential abuse, misuse, or inappropriate use in prescribing and/or dispensing patterns; 38 39 inconsistency with FDA approved labeling; and inconsistency with uses recognized in the American Hospital Formulary 40 41 Service Drug Information, and the American Medical Association 42 Drug Evaluations, or the U.S. Pharmacopoeia Dispensing 43 Information.
 - (c) (1) For purposes of this subsection, "disadvantaged" shall include, but not be limited to, the exclusion of any nonopioid drug from the preferred drug list, or setting more restrictive or extensive utilization controls on the nonopioid drug, such as more restrictive or extensive requirements for prior authorization or step therapy.
 - (2) In maintaining the preferred drug list, the

 Medicaid Pharmacy and Therapeutics Committee shall ensure that

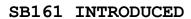
 no nonopioid drug approved by the U.S. Food and Drug

 Administration for the treatment or management of pain shall

 be disadvantaged with respect to coverage in comparison to any

 opioid or narcotic drug for the treatment or management of

 pain which is included on the preferred drug list.





57	(3) This subsection shall apply to any nonopioid drug
58	immediately upon its approval by the U.S. Food and Drug
59	Administration, regardless of whether the drug has been
60	reviewed by the Medicaid Pharmacy and Therapeutics Committee
61	for inclusion on the preferred drug list, and to any drug
62	being provided under a contract between the Medicaid Agency of
63	the State of Alabama and any integrated care network pursuant
64	to Article 11.
65	(c) (d) The Medicaid Pharmacy and Therapeutics Committee
66	shall recommend and the Medicaid Agency shall adopt an initial
67	Medicaid preferred drug list not later than three months after
68	June 18, 2003. Until Medicaid adopts the preferred drug list
69	required by this article, Medicaid shall continue to use its
70	existing voluntary preferred drug list and prior authorization
71	program. Drugs that currently require Medicaid prior
72	authorization shall not be subject to review for inclusion on
73	the preferred drug list and shall continue to require prior
74	authorization unless the Medicaid Pharmacy and Therapeutics
75	Committee recommends and the Medicaid Commissioner approves
76	changing the requirement.
77	(d) (e) Medicaid recipients may appeal prior
78	authorization decisions using the Medicaid fair hearing
79	process administered by the Alabama Medicaid Agency.
80	Physicians may appeal prior authorization decisions to
81	Medicaid's Medical Directors."
82	Section 2. This act shall become effective on October
83	1, 2025.