



General Assembly

**Amendment**

February Session, 2022

LCO No. 5566



Offered by:

SEN. LOONEY, 11<sup>th</sup> Dist.

SEN. ANWAR, 3<sup>rd</sup> Dist.

To: Senate Bill No. 364

File No. 315

Cal. No. 234

**"AN ACT CONCERNING HEALTH INSURANCE."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsection (a) of 38a-510 of the general statutes is repealed  
4 and the following is substituted in lieu thereof (*Effective January 1, 2023*):

5 (a) No insurance company, hospital service corporation, medical  
6 service corporation, health care center or other entity delivering, issuing  
7 for delivery, renewing, amending or continuing an individual health  
8 insurance policy or contract that provides coverage for prescription  
9 drugs may:

10 (1) Require any person covered under such policy or contract to  
11 obtain prescription drugs from a mail order pharmacy as a condition of  
12 obtaining benefits for such drugs; or

13 (2) Require, if such insurance company, hospital service corporation,

14 medical service corporation, health care center or other entity uses step  
15 therapy for such drugs, the use of step therapy for:

16 (A) [any] Any prescribed drug for longer than sixty days; [,] or

17 (B) [a] A prescribed drug for [cancer] treatment of a behavioral health  
18 condition or a chronic, disabling or life-threatening condition or disease  
19 for an insured who has been diagnosed with [stage IV metastatic cancer]  
20 such a condition or disease, provided such prescribed drug is in  
21 compliance with approved federal Food and Drug Administration  
22 indications.

23 (3) At the expiration of the time period specified in subparagraph (A)  
24 of subdivision (2) of this subsection, [or for a prescribed drug described  
25 in subparagraph (B) of subdivision (2) of this subsection,] an insured's  
26 treating health care provider may deem such step therapy drug regimen  
27 clinically ineffective for the insured, at which time the insurance  
28 company, hospital service corporation, medical service corporation,  
29 health care center or other entity shall authorize dispensation of and  
30 coverage for the drug prescribed by the insured's treating health care  
31 provider, provided such drug is a covered drug under such policy or  
32 contract. If such provider does not deem such step therapy drug  
33 regimen clinically ineffective or has not requested an override pursuant  
34 to subdivision (1) of subsection (b) of this section, such drug regimen  
35 may be continued. For purposes of this section, "step therapy" means a  
36 protocol or program that establishes the specific sequence in which  
37 prescription drugs for a specified medical condition are to be prescribed.

38 Sec. 2. Subsection (a) of section 38a-544 of the general statutes is  
39 repealed and the following is substituted in lieu thereof (*Effective January*  
40 *1, 2023*):

41 (a) No insurance company, hospital service corporation, medical  
42 service corporation, health care center or other entity delivering, issuing  
43 for delivery, renewing, amending or continuing a group health  
44 insurance policy or contract that provides coverage for prescription  
45 drugs may:

46 (1) Require any person covered under such policy or contract to  
47 obtain prescription drugs from a mail order pharmacy as a condition of  
48 obtaining benefits for such drugs; or

49 (2) Require, if such insurance company, hospital service corporation,  
50 medical service corporation, health care center or other entity uses step  
51 therapy for such drugs, the use of step therapy for:

52 (A) [any] Any prescribed drug for longer than sixty days; [L] or

53 (B) [a] A prescribed drug for [cancer] treatment of a behavioral health  
54 condition or a chronic, disabling or life-threatening condition or disease  
55 for an insured who has been diagnosed with [stage IV metastatic cancer]  
56 such a condition or disease, provided such prescribed drug is in  
57 compliance with approved federal Food and Drug Administration  
58 indications.

59 (3) At the expiration of the time period specified in subparagraph (A)  
60 of subdivision (2) of this subsection, [or for a prescribed drug described  
61 in subparagraph (B) of subdivision (2) of this subsection,] an insured's  
62 treating health care provider may deem such step therapy drug regimen  
63 clinically ineffective for the insured, at which time the insurance  
64 company, hospital service corporation, medical service corporation,  
65 health care center or other entity shall authorize dispensation of and  
66 coverage for the drug prescribed by the insured's treating health care  
67 provider, provided such drug is a covered drug under such policy or  
68 contract. If such provider does not deem such step therapy drug  
69 regimen clinically ineffective or has not requested an override pursuant  
70 to subdivision (1) of subsection (b) of this section, such drug regimen  
71 may be continued. For purposes of this section, "step therapy" means a  
72 protocol or program that establishes the specific sequence in which  
73 prescription drugs for a specified medical condition are to be  
74 prescribed."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>January 1, 2023</i>	38a-510(a)
Sec. 2	<i>January 1, 2023</i>	38a-544(a)