

HOUSE No. 2351

The Commonwealth of Massachusetts

PRESENTED BY:

Viriato Manuel deMacedo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:
An Act Regulating Appeals under the Group Insurance Commission.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|-------------------------|---------------------------|
| Viriato Manuel deMacedo | 1st Plymouth |
| James R. Miceli | 19th Middlesex |
| Joyce A. Spiliotis | 12th Essex |
| Christine E. Canavan | 10th Plymouth |
| Thomas M. Stanley | 9th Middlesex |
| Bruce E. Tarr | First Essex and Middlesex |

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
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AN ACT REGULATING APPEALS UNDER THE GROUP INSURANCE COMMISSION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 32A of the General Laws is hereby by amended, at the end thereof, the following new section:-

Section 17J. Any person who is dispensed a non-formulary or non-preferred brand name prescription drug, as determined under a pharmaceutical drug program established by the commission or through a pharmacy benefit manager contracted by the commission, may appeal that determination to the commission, and upon the submission of a statement by the person's physician that, due to a medical necessity, only the non-formulary or non-preferred brand name prescription drug can be dispensed, the person shall pay for the drug at the same rate required for the formulary or preferred brand name prescription drugs under such pharmaceutical drug program.