

SENATE NO. 1461

AN ACT FURTHER 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:*

1 SECTION 1. Chapter 32A of the General Laws is hereby by amended inserting the following
2 section:-
3 Section 17G. Any person, who is dispensed a non-formulary or non-preferred brand name
4 prescription drug, as determined under a pharmaceutical drug program established by the
5 commission or through a pharmacy benefit manager contracted by the commission, may appeal
6 that determination to the commission; and upon the submission of a statement by the person's
7 physician that, due to a medical necessity, only the non-formulary, or non-preferred brand name
8 prescription drug can be dispensed, the person shall pay for the drug at the same rate required
9 for the formulary or preferred brand name prescription drugs under such pharmaceutical drug
10 program.