
A BILL FOR AN ACT

RELATING TO PRESCRIPTION DRUGS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Act 241, Session Laws of Hawaii 2005, added a
2 new part to chapter 346, Hawaii Revised Statutes, entitled
3 "Medicaid Preauthorization Exemption", which consists of two
4 sections codified as sections 346-351 and 346-352, Hawaii
5 Revised Statutes, and exempts physicians prescribing
6 immunosuppressant medication under medicaid from
7 preauthorization procedures. However, section 346-352, Hawaii
8 Revised Statutes, excludes QUEST medical plans from this
9 exemption and thereby restricts access of QUEST medicaid
10 recipients to immunosuppressant medication.

11 The purpose of this Act is to delete the QUEST medical
12 plans exclusion in section 346-352, Hawaii Revised Statutes.
13 Deletion of this exclusion will provide equal access to
14 prescription medications for medicaid clients who suffer from
15 human immunodeficiency virus, acquired immune deficiency
16 syndrome, or hepatitis C, or who need immunosuppressives as a
17 result of organ transplants, regardless of whether they are in
18 the medicaid fee-for-service or the medicaid QUEST program.



1 SECTION 2. Section 346-352, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[§] §346-352 [§]~~ **Preauthorization exemption for certain**
4 **physicians.** Any physician licensed in this State who treats a
5 medicaid recipient patient suffering from the human
6 immunodeficiency virus, acquired immune deficiency syndrome, or
7 hepatitis C, or who is a patient in need of transplant
8 immunosuppressives, may prescribe any medications approved by
9 the United States Food and Drug Administration and that are
10 eligible ~~[for]~~ pursuant to the federal Omnibus Budget
11 Reconciliation Rebates Act ~~[(OBRA), that are]~~ and necessary to
12 treat the condition, without having to comply with the
13 requirements of any preauthorization procedure established by
14 any other provision of this chapter. ~~[This section shall not~~
15 ~~apply to QUEST medical plans.] "~~

16 SECTION 3. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Medicaid; Immunosuppressant Medication

Description:

Provides equal access to immunosuppressant medication for medicaid patients with HIV, AIDS, or Hepatitis C, or who require immunosuppressives due to organ transplants, regardless of whether they are in the medicaid fee for service or QUEST programs. (SD1)

